



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:45 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

**ATTENDANCE:**

**PRESENT:** CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES, STEVEN EVANS, LAURA McSWAIN, AND LEO DAVENPORT

**STAFF PRESENT:** MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., STEVE SWANTON - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, ANGELA CROLLI - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

**MINUTES:**

**ITEM 12 [VAR-3368] and ITEM 13 [SDR-3187]:**

DAVID CLAPSADDLE, Planning and Development Department, explained that these applications relate to a proposed supper club. He noted that the special use permit was heard at the last meeting. He stated that the applicant, with the revision of the site plan, has eliminated the drive through and now meets the parking requirements eliminating the need for a variance.

**ITEM 24 [ZON-3241]:**

MR. CLAPSADDLE indicated that the applicant submitted a letter requesting the zoning application be held in abeyance to the 1/8/2004 Planning Commission meeting. MR. CLAPSADDLE agreed that this would be appropriate in order to look at both the rezoning and the development agreement together.

**ITEM 14 [ZON-3241] and ITEM 15 [SDR-3220]:**

MR. CLAPSADDLE announced that 73 signatures of opposition were received objecting to the proposed project.

**CONDITIONS CHANGES**

**ITEM 19 [SDR-3278]:**

MR. CLAPSADDLE acknowledged that there would be a minor change to the conditions changing the project from two stories at 35 feet in height to three stories at 35 feet in height. He stressed that staff had no problems with the modification seeing as the applicant meets the 35-foot standard.

# *City of Las Vegas*

PLANNING COMMISSION MEETNIG OF DECEMBER 4, 2003

Planning and Development Department

Briefing:

## **MINUTES – Continued:**

### **MISCELLANEOUS:**

MR. CLAPSADDLE introduced STEVE SWANTON, who was presenting to the Planning Commission for the first time.

COMMISSIONER McSWAIN informed that she would like additional information added to the Minutes of November 6, 2003 with regard to Item 25 [SUP-2904] to further clarify her support of the delivery hours.

**MEETING ADJOURNED AT 5:50 P.M.**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESELL.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

**PRESENT:** CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES, STEVEN EVANS, LAURA McSWAIN, AND LEO DAVENPORT

**STAFF PRESENT:** MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., STEVE SWANTON - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, ANGELA CROLLI - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

(6:00)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**SUBJECT:**

Approval of the minutes of the November 6, 2003 Planning Commission Meeting

**MOTION:**

**NIGRO – APPROVED subject to amending Item 25 [SUP-2904] – Liborio Market on behalf of Triple A, Limited Liability Company - UNANIMOUS**

**MINUTES:**

COMMISSIONER McSWAIN requested the minutes reflect her reason for reversing her decision and supporting the waiver of the condition pertaining to the delivery hours to allow the hours of delivery from 4:00 a.m. to 8:00 p.m. inasmuch as all other deliveries are currently permitted on a 24-hour basis.

(6:02)

**1-40**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**CHAIRMAN TRUESDELL** announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

**ACTIONS:**

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

**CHAIRMAN TRUESDELL** read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**CHAIRMAN TRUESDELL noted the Rules of Conduct.**

**PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-3193 - ASTORIA AT LONE MOUNTAIN - ASTORIA HOMES ON BEHALF OF ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 284-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 30.85 acres approximately 690 feet east of Cliff Shadows Parkway, adjacent to the north side of Gowan Road (APN: 137-12-201-004, 010, 014 and a portion of 137-12-201-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with **McSWAIN** abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and **NIGRO** abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

**1-352**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 1 – TMP-3193

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2669), Rezoning (ZON-2667), Major Modification (MOD-2579), Variance (VAR-3081) and the Lone Mountain West Plan Development Standards.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, the Tentative Map shall be revised depicting conformance to the required 2,580 square foot minimum lot size for all proposed lots, including lot 90.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Provide proof that no portion of the southeast 5 acres of this site (west half of APN 137-12-201-011) is encumbered by BLM Right-of-Way Grant N-61323 (in favor of Clark County) prior to submittal of a Final Map for this site. All existing encumbrance on this site shall be eliminated through a vacation application or other legal means prior to recordation of a Final Map on this site. Coordinate with Clark County Public Works for dedication of Beltway right-of-way adjacent to this site; dedicate as recommended by Clark County.
8. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 1 – TMP-3193

**CONDITIONS - Continued:**

10. Public drainage easements must be common lots to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
11. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
12. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
13. Site development to comply with all applicable conditions of approval for ZON-2667, SDR-2669, and all other subsequent site-related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-3226 - DAY DAWN ESTATES UNIT 4 - NEVADA HOMES GROUP ON BEHALF OF DAY STAR VENTURES, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.04 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 4 (Brown).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with **McSWAIN** abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and **NIGRO** abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

**1-352**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 2 – TMP-3226

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2625).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Site development to comply with all applicable conditions of approval for ZON-2624 and all other subsequent site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. We note that minimum radius corners of 25 feet are required at the proposed site entrance.
8. The 185-foot intersection offset distance is acceptable per City Council approval of WVR-2811 on October 1, 2003.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-3260 - LONE MOUNTAIN RIDGES - UNIT 8 - R L HOMES, LIMITED  
LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY -**

Request for a Tentative Map FOR A 33-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), PD (Planned Development) Zone, Ward 4 (Brown).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 through 8 subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and NIGRO abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

**1-352**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 3 – TMP-3260

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-2772.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Petition of Vacation VAC-3264 must record prior to the recordation of a Final Map overlying or abutting the area to be vacated.
7. Provide notarized permission from the adjacent property owner to construct the portion of the entry that encroaches onto the adjacent subdivision to the east.
8. Landscape and maintain all unimproved rights-of-way on Alexander Road adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Alexander Road public right-of-way adjacent to this site.
10. Site development to comply with all applicable conditions of approval for ZON-2771 and all other subsequent site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-3270 - SUMMERLIN VILLAGE 20 PARCELS E, F, & G - HOWARD HUGHES CORPORATION** - Request for a Tentative Map FOR A 327-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 59.0 acres adjacent to the northeast corner of Charleston Boulevard and Vista Center Drive (APN: 137-35-410-004, 137-35-813-001, and 137-35-715-002), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and NIGRO abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

**1-352**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 4 – TMP-3270

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (Z-0119-96) and the Summerlin Development Standards.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. A Master Streetlight Plan of public street lights for the overall site shall be submitted to and approved by the Department of Public Works prior to the submittal of construction drawings for this site.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 4 – TMP-3270

**CONDITIONS – Continued:**

9. Site development to comply with all applicable conditions of approval for The Vistas at Summerlin Village 20 Unit Number 1, the Summerlin Improvement Standards, the Master Traffic Impact Analysis and all other site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-3274 - SHADOW LANE - SIGNATURE HOMES ON BEHALF OF 70 LIMITED**

**PARTNERSHIP**

Request for a Tentative Map for a 75-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.08 acres adjacent to the west side of Shadow Lane, approximately 950 feet north of Alta Drive (APN: 139-33-201-001), R-1 (Single Family Residential) under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 5 (Weekly).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED Items 1 through 8 subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and NIGRO abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

1-352

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 5 – TMP-3274

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review SDR-2644.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Site development to comply with all applicable conditions of approval for ZON-2643 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.
9. In accordance with the site development plan (SDR-2644) and Waiver (WVR-2834) approved by City Council on November 5, 2003, the following public streets may be terminated with the half moon configuration as shown on this map: Deauville Street, Vandalia Street, Arnold Street, and Beaumont Street.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**TMP-3280 - VILLAGE 23B - THE HOWARD HUGHES CORPORATION** - Request for a Tentative Map FOR A 11-LOT RESIDENTIAL DEVELOPMENT on 439 acres located at the northwest corner of Alta Drive and Desert Foothills Drive (APN: a portion of 137-22-000-010) , P-C (Planned Community) Zone, Ward 2 (L.B. McDonald).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and NIGRO abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

1-352

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 6 – TMP-3280

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Summerlin Development Plan Review SV-0018-98, and West Summerlin Development Agreement DA-0001-96.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Dedicate appropriate public street right-of-ways and construct public and private streets in accordance with Summerlin Development and Improvement Standards.
7. The construction of the collector road on the western edge of this village may be deferred; final determination of construction requirements shall be determined at the time of approval of the Traffic Study for the future villages adjacent to the west edge of this site or at the time of approval of a Tentative Map for such future villages, whichever is first.
8. A Master Sewer Study for Summerlin Village 23B must be approved prior to the submittal of any construction drawings for this site.
9. Revise Note 5 on Page One of the Summerlin Village 23 B Tentative Map to indicate correct amounts of flow from the projected residential units.
10. A Master Streetlight Plan for Summerlin Village 23B must be approved prior to the submittal of any improvement plans.
11. A Master Drainage Plan and Technical Drainage Study and a Master Traffic Impact Analysis must be approved by the Department of Public Works prior to the recordation of any Final Map creating any development pod sites anywhere on the overall tentative map subdivision site.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 6 – TMP-3280

**CONDITIONS - Continued:**

12. Site development to comply with all applicable conditions of approval for SV-18-01, Z-119-96, and all applicable Summerlin Standards.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**EOT-3239 - BIG SKY DEVELOPMENT ON BEHALF OF GRAND CANYON INVESTORS, LIMITED LIABILITY COMPANY** - Request for an Extension of Time on an approved Variance (V-0058-02) TO ALLOW FIVE-FOOT WIDE SIDEWALKS WHERE MINIMUM SEVEN-FOOT WIDE SIDEWALKS OR WHEEL STOPS AND/OR CURBING ARE REQUIRED on 18.84 acres adjacent to the east side of Grand Canyon Drive, approximately 1,300 feet north of Grand Teton Drive (APN: 125-07-701-004), R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development) Zone, Ward 6 (Mack).

**C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with **McSWAIN** abstaining on Item 1 [TMP-3193] as her firm is presently under contract with **Astoria Homes**, on Item 5 [TMP-3274] as her firm is finalizing payment from **Signature Homes**, and on Item 7 [EOT-3239] as her firm is presently under contract with **Big Sky Development** and **NIGRO** abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

To be heard by the City Council on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

1-352

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 7 – EOT-3239

**CONDITIONS:**

Planning and Development

1. This Extension of Time will expire on October 16, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Variance (V-0058-02) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**EOT-3281 - OWENS STAR, LIMITED LIABILITY COMPANY -** Request for an Extension of Time of an approved Rezoning (Z-0057-01) FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) on 3.13 acres adjacent to the southwest corner of Owens Avenue and Sandhill Road (APN: 140-30-102-006), Ward 3 (Reese).

**C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** Items 1 through 8 subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 1 [TMP-3193] as her firm is presently under contract with Astoria Homes, on Item 5 [TMP-3274] as her firm is finalizing payment from Signature Homes, and on Item 7 [EOT-3239] as her firm is presently under contract with Big Sky Development and NIGRO abstaining on Item 5 [TMP-3274] as he owns a project located within the notification boundary.

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:18 – 6:20)

1-352



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 8 – EOT-3281

**CONDITIONS:**

Planning and Development

1. This Extension of Time will expire on November 21, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0057-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - ZON-3143 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY -**  
Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on 1.20 acres located at 1616 South Decatur Boulevard (APN: 163-01-602-004), Ward 1 (Moncrief).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm presently has a contract with the Becker Family**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [ZON-3143] and Item 10 [SUP-3144].

DAVID CLAPSADDLE, Planning and Development Department, explained that this application was held to enable the special use permit to catch up. He stated that the property is designated GC (General Commercial) and rezoning to C-2 would be appropriate. The adjacent properties to the west are designated C-1 and because of the request for C-2 on the subject property may appear to be spot zoning, but is not, given the General Plan designation of general commercial. He emphasized that the General Plan does call for C-2 therefore there would be no adverse impact to the surrounding area. MR. CLAPSADDLE went on to briefly describe the history of this parcel and previous applications. With regard to the site plan, the applicant proposes to install landscaping along Decatur Boulevard. Staff recommended approval of both applications subject to conditions.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 9 – ZON-3143

**MINUTES – Continued:**

SUSAN JOHNSTON, G.C. Garcia, , 2501 North Green Valley Parkway, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, recapped that years ago the previous owner, Falconi, opted to move from the site because the size of the lot was inadequate to accommodate the number of vehicles that he had. MR. FARLOW recommended the conditions specify exactly the amount of vehicles that be placed there.

Referencing MR. FARLOW'S comments, MS. JOHNSTON replied to COMMISSIONER NIGRO that a total number of 69 vehicles spaces are anticipated to include vehicles for sales, customer and employee parking. MR. CLAPSADDLE referenced Condition 11 related to the time allowed for storage of vehicles.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [ZON-3143] and Item 10 [SUP-3144].

NOTE: All discussion for Item 9 [ZON-3143] and Item 10 [SUP-3144] was held under Item [ZON-3143].

(6:20 – 6:45)

**1-410**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 9 – XON-3143

**CONDITIONS - Continued:**

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SUP-3144 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY -** Request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) AND FOR AUTO REPAIR GARAGE, MINOR on property located at 1616 South Decatur Boulevard (APN: 163-01-602-004), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm presently has a contract with the Becker Family**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 9 [ZON-3143] for related discussion.

6:20 – 6:45)

**1-410**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3143).
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 10 – SUP-3144

**CONDITIONS - Continued:**

3. All City Code requirements and design standards of all City departments must be satisfied.
4. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All repair and service work shall be performed within a completely enclosed building.
8. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize visual intrusion into adjoining properties.
9. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
10. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
11. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SDR-3191 - GEORGE RAINHART ARCHITECTS ON BEHALF OF PP LAND, LIMITED PARTNERSHIP** - Request for a Site Development Plan Review and a Waiver of build-to-street standards of the Town Center Development Standards FOR A 23,320 SQUARE FOOT COMMERCIAL BUILDING on 4.91 acres at the north corner of Durango Drive and El Capitan Way (APN: 125-17-601-011), T-C (Town Center) [SC-TC (Service Commercial – Town Center) land use designation, Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN - DENIED – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff presumed that only the Walgreens would be coming forward for the site plan review. The applicant intended for the entire site to be reviewed thereby necessitating re-notification. He indicated on the overhead that this particular site is categorized as an automobile gateway within Town Center. Although the site conforms to most Town Center standards, MR. CLAPSADDLE explained the

## PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 11 – SDR-3191

**MINUTES – Continued:**

recommendation for denial stating that staff believes it is imperative for the building to be pushed up to the property line to meet the Town Center standards which call for zero to 15-foot setbacks along arterials or Town Center parkways. Staff sees no reason why the standards cannot be met. MR. CLAPSADDLE explained that an alternative plan is available that entails a design feature where parking is eliminated from the front of the building although the building is pushed back away from the property line, but it meets the Town Center criteria.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She introduced GEORGE RAINHART, the applicant. ATTORNEY LAZOVICH indicated that the lot is triangular shaped. She concurred that the Walgreens Store is set back from the build-to line and explained that the positioning would eliminate any impact to the drive-thru circulation. She further explained that to soften the impact along Durango or El Capitan as it relates to this corner only, the applicant proposes to construct a three-foot screen wall plus landscaping. ATTORNEY LAZOVICH added that the developer would be willing to install added features to match the aesthetics of the adjacent corner.

TODD FARLOW, 240 North 19<sup>th</sup> Street, objected to the project and stated that there should be some architect who would be able to redesign this site to keep it in conformance with the Town Center standards.

GEORGE RAINHART, 2325 San Pedro, Albuquerque, New Mexico, responding to COMMISSIONER GOYNES query, stated that within the suburban locations, drive-thru's are standard for the Walgreen establishments.

COMMISSIONER McSWAIN commented that the adjacent establishments appear to meet the standards of Town Center and in spite of having supported like variances, she perceived the Town Center standards as trying to create an urban core. MR. CLAPSADDLE affirmed that the purpose was to deviate from the standard suburban-type commercial center as seen throughout other parts of the Valley. In response to COMMISSIONER McSWAIN'S question regarding dispensing of pharmaceuticals, MR. RAINHART replied that pharmacy personnel must have direct contact with the customer for identification purposes. MR. RAINHART stated that the developer has taken into consideration the residences abutting this site but emphasized that the parcel because of its peculiar shape is very difficult to work with. In her closing remarks, COMMISSIONER McSWAIN stated that unless she heard otherwise from her colleagues, she would follow the recommendations of staff.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 11 – SDR-3191

**MINUTES – Continued:**

COMMISSIONER NIGRO agreed that this appears to be a self-imposed hardship inasmuch as the standards were in place and were applied consistently on the adjacent corner. Like COMMISSIONER McSWAIN he stated that he could not support any waiver unless he was truly convinced that it would create an obstacle for Walgreen's to function successfully. He added that despite the irregular shape of the site, it appears the applicant should be able to comply with Town Center standards.

COMMISSIONER DAVENPORT asked whether it would be feasible to move the drive-thru to the side and relocate the parking. MR. CLAPSADDLE stated that could be an option, once again emphasizing the automobile gateway diagram that would relocate the drive-thru to where the parking is at the front of the building. ATTORNEY LAZOVICH replied that it would be necessary to confer with the Walgreen Corporate Office. MR. RAINHART explained that one of the Walgreen Stores in Arizona has the exact configuration as outlined in the Town Center standards. He noted that that particular layout when viewed from the street actually presents a view of the backs of the buildings. He added that the developer has located the transitory parking and drive-thru in such a way as to alleviate any intrusion to the abutting neighbors. COMMISSIONER DAVENPORT pointed out that there already is parking along the back property line and it backs up to the residential. He felt that a little maneuvering of the building, the parking, and the drive-thru would ensure this entire project conforms to the standards of Town Center.

CHAIRMAN TRUESDELL stated that Walgreen's in other locations have successfully built stores meeting the required standards. He noted that the neighbors rely on the Commission to enforce the standards that they worked long and hard to create. He remarked that he could not support the waiver unless the alternative options as previously discussed were considered and put in place.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:26 – 6:45)

**1-614**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3368 - HART AND WATTERS ON BEHALF OF Z & C MANAGEMENT, INC. -**  
Request for a Variance to ALLOW 87 PARKING SPACES WHERE 100 SPACES ARE  
REQUIRED for an addition to a proposed supper club at 1401 South Rainbow Boulevard, (APN:  
163-03-501-022), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open for Item 12 [VAR-3368] and Item 13 [SDR-3187].

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant has submitted a letter requesting both applications be withdrawn without prejudice. In an original request, the applicant proposed a drive-thru that required a parking variance. That request has subsequently been deleted from the site plan and no longer applies. Staff has no objections with the withdrawal of both applications.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with MR. CLAPSADDLE'S explanation.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 12 – VAR-3368

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed for Item 12 [VAR-3368] and Item 13 [SDR-3187].

NOTE: All discussion for Item 12 [VAR-3368] and Item 13 [SDR-3187] was held under Item 12 [VAR-3368].

(6:10 – 6:12)  
1-87

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-3187 - HART AND WATTERS ON BEHALF OF Z & C MANAGEMENT, INC. - Request for a Site Development Plan Review FOR A 565 SQUARE FOOT DRIVE THROUGH ADDITION TO AN EXISTING RESTAURANT on 1.25 acres at 1401 South Rainbow Boulevard (APN: 163-03-501-022), C-1 (Limited Commercial) Zone, Ward 1(Moncrief).**

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS**

**MINUTES:**

NOTE: See Item 12 [VAR-3368] for all related discussion.

(6:10 – 6:12)

1-87

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ZON-3219 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>83</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Video Tape showing the existing neighborhood (attached to Item 14 [ZON-3219].
5. Submitted at meeting: Letter of opposition from Charity Fechter, undated (attached to Item 14 [ZON-3219].
6. Submitted at meeting: Handout from Craig Shirley indicating opposition, undated (attached to Item 14 [ZON-3219].

**MOTION:**

**NIGRO – DENIED - UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 14 [ZON-3219] and Item 15 [SDR-3220].

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 14 – ZON-3219

**MINUTES – Continued:**

STEVE SWANTON, Planning and Development Department, explained that the proposed rezoning conforms to the General Plan which is all rural density residential. The density is limited to a maximum of three units per acre because it is located within a rural preservation neighborhood buffer zone. Additionally, the project is situated between two other established rural preservation neighborhoods. The landscaping and open space requirements conform to the standards. There are no trails associated with this development.

MR. SWANTON noted that the proposed rezoning is not compatible with the size and the density of the surrounding lots. The proposed development will average approximately 9700 square feet as compared to the adjacent lots that exceed over one-acre in size. Based on some of the incompatibility issues, staff recommended denial of both applications.

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the applicant. Using the overhead, he pointed out the location of the development, the common area, picnic area and a small park. ATTORNEY LARSEN stated that this development meets all the standards of the code and is void of any variances.

The following speakers voiced their opposition to the proposed development: MITCH BUNTING, 5800 Mello Avenue; ROB UNGER, 5920 Mello Avenue; DENNIS BANTO, 5655 Mello Avenue; MAUREEN LAMB, 5501 Mello Avenue; VALERIE SCHRAMM, 5600 Mello Avenue; CRAIG SHIRLEY, 5901 Mellow Avenue; PATRICIA GESSLER, 5610 Mellow Avenue; and TODD FARLOW, 240 North 19<sup>th</sup> Street.

In addition to a video presentation, each of the speakers substantiated their opposition with the following comments: Currently all of the existing 17 residences are situated on one to two-acre lots with all but one residence being single-story. Several of the residents have occupied their homes for over 30 years and adamantly opposed this new development which will tremendously increase the traffic on a rural street that is only partially paved. The neighbors anticipate that not only will the increased traffic compromise the safety of the residents, especially those who have children, but it will have a detrimental effect on the property owners who own horses. One speaker stated that the current structure of this rural neighborhood is made up of 34 acres with 17 existing homeowners, averaging approximately 2 acres per property owner. Approval of the rezoning request would enable the developer to develop three units to an acre and add 15 additional homes almost doubling the number of existing residences. All of the speakers were not opposed to development, but asked the Commission to carefully consider the standards that are pre-existing that designate the criteria for development in a rural preservation neighborhood so they may continue to go on with their life style.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 14 – ZON-3219

**MINUTES – Continued:**

ATTORNEY LARSEN reiterated that the development has met every requirement of the code and could not understand the neighbors' opposition to a project having an average of 4,000 square foot homes on 9,000 square foot lots. ATTORNEY LARSEN referred to this project as a cul-de-sac development that will have very little impact on traffic.

COMMISSIONER McSWAIN pointed out that the Commission has a responsibility to determine whether any incompatibility issue exists. She indicated to ATTORNEY LARSEN that his response to the neighbors' remarks was just as extreme as his arguments justifying this development to be appropriate for the area. COMMISSIONER McSWAIN stated she would not support the application.

COMMISSIONER NIGRO commented that he did not foresee a development, such as the one proposed, to drastically impact the traffic patterns nor affect the life style of existing homeowners. He remarked that based on the uses immediately surrounding the project, he did consider the fact that this project would be sandwiched between one-acre lots and would not be conducive to the preservation of this small community. Like COMMISSIONER McSWAIN, he emphasized the compatibility issue and stated that this development clearly does meet the criteria set by code insofar as compatibility.

ROBERT GENZER, Director of Planning and Development Department, informed the audience that no further notification by mail would be made and that these items would be heard during the afternoon session of the City Council meeting on 1/7/2004.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 14 [ZON-3219] and Item 15 [SDR-3220].

NOTE: All discussion for Item 14 [ZON-3219] and Item 15 [SDR-3220] was held under Item 14 [ZON-3219].

(6:45 – 7:16)  
**1-1264**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SDR-3220 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST** - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT RESIDENTIAL DEVELOPMENT on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), R-E (Residence Estates) Zone PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**83**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Video Tape showing the existing neighborhood (attached to Item 14 [ZON-3219].
5. Submitted at meeting: Letter of opposition from Charity Fechter, undated (attached to Item 14 [ZON-3219].
6. Submitted at meeting: Handout from Craig Shirley indicating opposition, undated (attached to Item 14 [ZON-3219].

**MOTION:**

**NIGRO – DENIED – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 14 [ZON-3219] for related discussion.

(6:45 – 7:16)

**1-1264**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ZON-3256 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS -**  
Request for a Rezoning FROM: C-2 (General Commercial) and R-3 (Medium Density Residential) TO: C-V (Civic) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), Ward 5 (Weekly).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**1**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 16 [ZON-3256] and Item 17 [SDR-3257].

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that this application relates to the Neon Museum bone yard located just off of Las Vegas Boulevard. She remarked that this action would enable relocation of many of the old signs into the Neon Museum. She stated that changing the zoning to C-V (Civic) is explicitly for this purpose.

NANCY DEETER, City of Las Vegas, appeared and was available to answer questions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that this endeavor is tied in with the arts trail scheme and will add to the enhancement of downtown.

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 16 – ZON-3256

**MINUTES – Continued:**

COMMISSIONER EVANS remarked that the Neon Museum will eventually prove to be a major attraction to our visiting tourists. He agreed with MR. FARLOW that hopefully this arts corridor will develop into accessibility not only for vehicular traffic, but for pedestrians and possibly the monorail. He commended MS. DEETER and staff for their efforts in preserving this artful collection and historical preservation.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 16 [ZON-3256] and Item 17 [SDR-3257].

(7:13 – 7:16)

**1-2376**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3257) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
4. A plan detailing the removal or relocation of the onsite public sewers that also maintains service to upstream connections must be accepted by the Collection Systems Planning section of the Department of Public Works prior to issuance of any permits. Any existing public sewer easements in conflict with the proposed structures shall be vacated and new easements granted prior to the issuance of any sewer-related permits for this site.
5. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 16 – ZON-3256

**CONDITIONS – Continued:**

6. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3257 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS -**  
Request for a Site Development Plan Review for a proposed Museum (The Neon Museum) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone, [PROPOSED: C-V (Civic) Zone], Ward 5 (Weekly).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 16 [ZON-3256] for related discussion.

(7:13 – 7:16)

**1-2376**

**CONDITIONS:**

Planning and Development

1. A Rezoning (ZON-3256) to a C-V (Civic) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 17 – SDR-3257

**CONDITIONS – Continued:**

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
5. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. The design of the handicap parking spaces shall conform to the requirements of Title 19.10.
8. Public sidewalks shall be required abutting the property along Encanto Drive, McWilliams Drive, and Las Vegas Boulevard. An accessible connection is required between the public sidewalk at Las Vegas Boulevard and the principal entrance of the museum building.
9. The perimeter walls shall comply with the requirements of the Title 19.08.
10. The bus parking area on Encanto Drive shall be removed or shall be relocated to the museum property.
11. Light fixtures on the museum property shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

Public Works

12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. Site development to comply with all applicable conditions of approval for ZON-3256 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ZON-3276 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES -**  
Request for a Rezoning FROM: C-1 (Limited Commercial) TO: R-PD11 (Residential Planned Development - 11 Units Per Acre) on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Architectural Renderings of proposed project (attached at Item 18 [ZON-3276]).

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is finalizing a transaction with Signature Homes.**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearings open on Item 18 [ZON-3276], Item 19 [SDR-3278] and Item 20 [WVR-3355].

GARY LEOBOLD, Planning and Development Department, explained that staff recommended denial on both the zoning request and the Site Development Plan Review based on its findings that the style of development would render portions of the open space unavailable for use by the residents. He remarked that this development will include 92 single-family lots, private streets configured at 39-feet wide and three-story units. He noted that if approved, Condition 4 of the Site Development Plan Review needs to be modified to read three-stories.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 18 – ZON-3276

**MINUTES – Continued:**

MR. LEOBOLD stated that the applicant has creatively redesigned the panhandle section of the parcel eliminating the private drive. With regard to the waiver pertaining to the external access from the subdivision, because of the limited amount of street frontage and constrained by commercial and apartment development, this section would be the only practical location to be accessed from. Considering the low volume of traffic on Shadow Lane and the additional traffic controls proposed by the applicant for Shadow Lane, staff determined that the waiver to reduce the separation distances is acceptable.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, she indicated on the site plan the location of the proposed development and the adjacent uses. She introduced for the first time a model of the three-story, two-car garage, single-family detached project.

ATTORNEY LAZOVICH stated that this novel product conforms to the setback requirements. It includes individual property gates along Paseo providing backyard privacy and access to usable open space.

TODD FARLOW, 240 North 19<sup>th</sup> Street, commended the developer of this project and described it as beautifully structured.

JACK CAMPBELL, CEO for Walker Furniture, stated that his company had no opposition to the development of the homes save for the potential use of the access point going on to Martin Luther King mainly because of traffic concerns. MR. CAMPBELL suggested a deed restriction that would ensure that no other use would be allowed other than what is described by the applicant as emergency access.

NATALIE MYERS, representing Furniture Expo, 300 South Martin Luther King Boulevard, appeared in opposition to this proposal. She stated that the major concern relates to the driveway that is bordered by commercial businesses. She explained that large commercial trucks traverse that street and over the years, she has witnessed numerous accidents. She expressed concern that ingress/egress for residents would pose a major safety issue.

CARL OSBOURNE, 101 Shadow Lane, expressed the same concerns as MR. CAMPBELL. He remarked that a development in the same vicinity was just approved for 75 homes and if this application is approved it will add an additional 92 homes. He substantiated that with two cars per home, Shadow Lane will significantly be inundated with traffic.

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 18 – ZON-3276

**MINUTES – Continued:**

ATTORNEY LAZOVICH replied that this development will be gated and homeowners will only have access off of Shadow Lane. She indicated the location of the crash gates and was acceptable to any condition specifying that use. COMMISSIONER NIGRO asked whether a deed restriction would be applicable. MR. LEOBOLD added that the driveway on Martin Luther King is only wide enough to be utilized for emergency purposes. COMMISSIONER NIGRO expressed his approval and felt the residential use is appropriate for this site versus anything commercial.

COMMISSIONER EVANS asked whether a traffic analysis was conducted. ATTORNEY LAZOVICH explained that the applicant agreed to install a traffic-calming device on Shadow Lane similar to Shadow I. BOBBY LEWIS, representing Signature Homes, attested to a traffic study having been completed for both the Shadow I and Shadow II projects. COMMISSIONER EVANS further questioned whether there are plans to install a traffic signal in the area. MR. LEWIS stated that staff would be able to provide that information. Responding to COMMISSIONER EVANS' query regarding commercial deliveries, ATTORNEY LAZOVICH explained that with the commercial enterprises already in place, this would give a potential buyer the opportunity to decline purchasing a property if they were particularly sensitive to noise or lights emanating from the adjacent business.

CHARIMAN TRUESDELL liked the uniqueness of the project but stated that he would not support this development if it accessed Martin Luther King Boulevard. He felt that the traffic impact on Shadow Lane might not be a significant imposition. He added that this is an excellent in-fill project.

Addressing MS. MYERS concerns regarding the truck delivery, MR. LEOBOLD suggested partial wrought iron fencing along a portion of the strip to ensure visibility for commercial trucks.

DEPUTY CITY ATTORNEY BRYAN SCOTT noted that if a deed restriction is contemplated, it will be necessary to ensure that the City of Las Vegas is made a part of the deed restriction to prevent any deviations without the City's permission.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed on Item 18 [ZON-3276], Item 19 [SDR-3278] and Item 20 [WVR-3355].

(7:16 – 7:45)

**1-2601/2-1**



**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 18 – ZON-3276

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3278) and a Waiver to certain Title 18 standards (WVR-3355) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard adjacent to this site.
4. Construct all incomplete half-street improvements on Martin L. King Boulevard and Shadow Lane adjacent to this site concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 18 – ZON-3276

**CONDITIONS – Continued:**

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** ROBERT S. GENZER

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CONSENT

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DISCUSSION

**SUBJECT:**

**SDR-3278 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES -**  
Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)] Ward 5 (Weekly).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

2

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

1

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Architectural Renderings of proposed project (attached at Item 18 [ZON-3276]).

**MOTION:**

**GOYNES – APPROVED** subject to conditions and amending Condition 4 as follows:

4. The standards for this development shall include the following: minimum lot size of 1,750 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed *three* stories or 35 feet, whichever is less.

adding the following condition:

- *The applicant shall ensure that a deed restriction is placed on the subject property which prevents any direct access from the site to Martin L. King Boulevard, other than emergency access. The City shall be party to this deed restriction.*

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 19 – SDR-3278

**MOTION – Continued:**

– **UNANIMOUS** with McSWAIN abstaining as her firm is finalizing a transaction with Signature Homes.

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 18 [ZON-3276] for related discussion.

(7:16 – 7:45)

**1-2601/2-1**

**CONDITIONS:**

Planning and Development

1. A Rezoning [ZON-3276] to an R-PD11 (Residential Planned Development - 11 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3355) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 1,750 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 3 feet on the corner side, and 10 feet in the rear.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a sufficient number of minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, to meet or exceed Code requirements.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 19 – SDR-3278

**CONDITIONS - Continued:**

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Prior to the issuance of any permits, coordinate with the northerly commercial property and the Collection Systems Section of the Department of Public Works to determine if any existing sewer lines remain on this site. If necessary, a sewer relocation and abandonment plan shall be approved by the City of Las Vegas and new sewer easements granted prior to or concurrent with the recordation of a Final Map for this site.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 19 – SDR-3278

**CONDITIONS - Continued:**

18. Site development to comply with all applicable conditions of approval for ZON-3276 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**WVR-3355 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES -**

Request for a Waiver of Title 18.12.160 TO ALLOW A 150-FOOT SEPARATION BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, and a Waiver of Title 18.12.105 TO ALLOW A 470-FOOT LONG PRIVATE STREET WHERE 200 FEET IS THE MAXIMUM LENGTH ALLOWED, between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED** subject to conditions and adding the following condition:

- *This Waiver shall only apply to Title 18.12.160.*
- UNANIMOUS with McSWAIN abstaining as her firm is finalizing a transaction with Signature Homes.

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 18 [ZON-3276] for related discussion.

(7:16 – 7:45)

**1-2601/2-1**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 20 – WVR-3355

**CONDITIONS:**

Planning and Development

1. All development shall conform to the Conditions of Approval for Rezoning (ZON-3276) and Site Development Plan Review (SDR-3278).
2. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ZON-3259 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-2 (General Commercial) on 0.51 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-049, 050, and 051), Ward 5 (Weekly).**

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

NOTE: CHAIRMAN TRUESDELL disclosed that a portion of the parking lot that his office building is on falls within this notification area but this would not affect his ability to vote on this item.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearings opened on Item 21 [ZON-3259], Item 22 [SDR-3261], and Item 23 [VAC-3056].

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 21 – ZON-3259

**MINUTES – Continued:**

GARY LEOBOLD, Planning and Development Department, stated that the rezoning request applies only to a portion of the site as the other portion with the existing tower is already zoned C-2. With regard to the Site Development Plan Review, this will integrate an existing vacant office building with a proposed parking structure and will be connected by an atrium area. It will have a ground floor retail component. MR. LEOBOLD stated that the applicant is requesting the vacation of 125 feet of the alleyway connecting Bridger Avenue and Carson Avenue. Staff recommended approval of all three applications subject to conditions.

ATTORNEY JEFF ALBREGTS, 1701 West Charleston Boulevard, appeared on behalf of the applicant. He introduced ROBERT MESIANA, project manager. ATTORNEY ALBREGTS explained that it will be difficult for the developer to dedicate the 10 foot radius on the northeast corner of 7th Street and Bridger Avenue because the existing building will be placed up against the property line falling short of the 10 feet. GINA VENGLASS, Public Works Department, clarified that Condition 3 contains language pertaining to the applicant's inability to comply if submitted information is acceptable to staff.

TODD FARLOW, 240 North 19<sup>th</sup> Street, commended the developer on a beautiful project.

BART ANDERSON, Public Works Department, further clarified that Condition 3 would pertain to the existing building currently on 7th Street; however, for a proposed building compliance is required. He emphasized that Public Works Condition 3, based on the site plan submitted, must be met for the new building located on 8th Street. ATTORNEY ALBREGTS concurred.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings opened on Item 21 [ZON-3259], Item 22 [SDR-3261], and Item 23 [VAC-3056].

(7:45 – 7:55)

**2-289**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3261) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 21 – ZON-3259

**CONDITIONS – Continued:**

Public Works

3. Dedicate a 10 foot radius on the northeast corner of 7<sup>th</sup> Street and Bridger Avenue and a 10 foot radius on the northwest corner of 8<sup>th</sup> Street and Bridger Avenue prior to the issuance of any permits, coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents. These said dedications shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located at either corner within the area being requested for dedication.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3261 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY AND LEBARON HOTEL, INC. - Request for a Site Development Plan Review and Waivers OF THE PERIMETER BUFFERING AND LANDSCAPING STANDARDS AND TO ALLOW AN EIGHT-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED FOR AN EXISTING OFFICE BUILDING AND A PROPOSED THREE-STORY, 62,674 SQUARE-FOOT PARKING STRUCTURE WITH GROUND FLOOR COMMERCIAL on 0.90 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-037, 049, 050, and 051), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly).**

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

NOTE: CHAIRMAN TRUESDELL disclosed that a portion of the parking lot that his office building is on falls within this notice area but this would not affect his ability to vote on this item.

**MINUTES:**

NOTE: See Item 21 [ZON-3259] for related discussion.

(7:45 – 7:55)

**2-289**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 22 – SDR-3261

**CONDITIONS:**

Planning and Development

1. A Rezoning [ZON-3259] to a C-2 (General Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show the area along 7<sup>th</sup> Street within the right-of-way that can provide a clear 10-foot path for the potential Multi-use Transportation Trail that may be required in this location, to reflect loading zones of which meet the dimensional requirements of the Code and which illustrates on-site trash collection facilities, and to provide a level of detail regarding signage that is satisfactory to the Planning and Development Department.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 22 – SDR-3261

**CONDITIONS - Continued:**

10. A fully operational fire protection system, including fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. The submitted Petition of Vacation VAC-3056 shall record prior to the issuance of any building permits for this site.
13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
15. Landscape and maintain all unimproved right-of-way on 7<sup>th</sup> Street, 8<sup>th</sup> Street and Bridger Avenue adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the 7<sup>th</sup> Street, 8<sup>th</sup> Street and Bridger Avenue public right-of-way adjacent to this site prior to occupancy of this site.
17. Site development to comply with all applicable conditions of approval for Petition of Vacation VAC-3056, Zoning Reclassification ZON-3259 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAC-3056 - WESTERN US REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF LEBARON HOTEL INC.** - Petition to Vacate a twenty-foot (20') wide public alley adjacent to the north side of Bridger Avenue, between 7th Street and 8th Street, Ward 5 (Weekly).

**SET DATE: 12/17/03 C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

NOTE: CHAIRMAN TRUESDELL disclosed that a portion of the parking lot that his office building is on falls within this notice area but this would not affect his ability to vote on this item.

**MINUTES:**

NOTE: See Item 21 [ZON-3259] for related discussion.

(7:45 – 7:55)

**2-289**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 23 – VAC-3056

**CONDITIONS:**

1. Provide a plan for approval by the City Engineer indicating an alternative alley access route providing a legal through-access for this alley. Such alley access shall be dedicated, or appropriate access easements granted, prior to recordation of an Order of Vacation for this alleyway. The proposed alternative shall provide a turning radius acceptable to the Department of Fire Services.
2. A sanitary sewer relocation/abandonment plan must be submitted and approved by the Department of Public Works prior to the recordation of the Order of Vacation; alternatively appropriate public sewer easements shall be retained.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ZON-3241 - CLIFF'S EDGE, LIMITED LIABILITY COMPANY -** Request for a Rezoning FROM:U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 90.0 acres generally located between Grand Teton Drive, Centennial Parkway, Hualapai Way and the Corporate City Limits (APN: multiple), Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to the 1/8/2004 Planning Commission meeting – UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, stated that the applicant submitted a letter requesting this application be held in abeyance to the 1/8/2004 Planning Commission meeting. This action will enable staff to provide a copy of the development agreement for Cliff's Edge for the Commission's review.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, concurred with MR. CLAPSADDLE'S presentation and added that this will enable the developer to include additional parcels into the approved plan. Contrary to a news article that raised concerns from the residents, ATTORNEY FIORENTINO reiterated that the developer fully intends to comply with the conditions imposed by the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 24 – ZON-3241

**MINUTES – Continued:**

JOHN MARIANO, President of the Deer Springs Estate Association, 6820 Antler Court, represented the residents of Deer Springs. One of his complaints centered on the developer not notifying his community on the status of the development. CHAIRMAN TRUESDELL suggested he provide his name and address to ATTORNEY FIORENTINO.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:12 – 6:16)

**1-146**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST** - Request for a Variance to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback FOR A PROPOSED TWO-STORY, 20,410 SQUARE FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**6**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**1**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN - DENIED – Motion carried with EVANS and DAVENPORT voting No**

**To be heard by the City Council on 1/7/2004.**

NOTE: Motion for Approval subject to conditions by DAVENPORT failed with TRUESDELL, GOYNES, McSWAIN and NIGRO voting No.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearings opened on Item 25 [VAR-3291] and Item 26 [SDR-3289].

STEVE SWANTON, Planning and Development Department, briefly summarized the variance request and the site development plan review. He stated that the issue pertains to the size of the medical office building.

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 25 – VAR-3291

**MINUTES – Continued:**

With regard to front setbacks, the applicant has requested 15 feet where 25 feet is required. For the curbside setback, the applicant has requested 10 feet where 15 feet is required. The applicant is proposing a two-story building, 25-feet tall where currently there is a one-story, 20-foot maximum height restriction along Charleston Boulevard. MR. SWANTON stated that the applicant does not meet all the landscaping requirements, does not meet the Residential Adjacency Standards or the provisions for parking. Staff determined that the applicant is overbuilding on the site and therefore recommended denial on both applications.

MICHAEL SINGER, 520 South 4th Street, MICHAEL KAPLAN, the developer, 601 South Rancho Drive, and LEO DURAN, the builder, 3867 S. Valley View, appeared on behalf of the applicant. MR. SINGER described the proposed two-story building and remarked that the applicant concurs with all conditions. He further affirmed that the Nevada Division of Transportation (NDOT) has prohibited any driveway off Charleston Boulevard. MR. SINGER stated that he would be willing to work out the details with the Public Works Department relative to the egress and ingress from Cahlan Drive but felt a traffic analysis was not needed. As to the recommendations, their letter of justification cites the unique rectangular shape of the property. Given the present shape and condition, the site was approved for C-D zoning. However, the insert property required to make the parcel square-shaped was left residential. This will be the administrative office for one of the owners who also owns a number of medical office around town. There will be six employees and no invitees. The 7,000 square foot rehab facility is a Medicare facility. That means the majority of the employees are brought by van from a treatment facility. There would be a maximum of four patients' cars at any one time. Therefore, he projected that only 30 of the 57 mandatory parking spaces as a result of the first floor uses are truly needed. Under normal circumstances parking would be adequate.

MR. SINGER added that the setback encroachment would be screened by the fully mature trees shown in the landscaping plan. Those tightly set trees will screen even the top of the building. The building height is actually 20 feet above surface with 4 feet below surface. The parapet creates the height encroachment. The building on the west of Cahlan is equal in height as a result of the west/east slope at Charleston. Across the street, on the north side of Charleston, a four-story building was approved. He presented photographs of the site as it has existed for 40 years. To create an attractive and compatible building of this quality, it is not economically feasible to construct a smaller building.

KENNETH TRACHT, 3008 Lantern Lane, explained that his office would be adjacent to this building. The building is great except that it exceeds the one-story limit.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 25 – VAR-3291

**MINUTES – Continued:**

ERNIE FREGGIARO, 2480 E. Tompkins, appeared on behalf of EDWARD and SUSAN WEINSTEIN, owners of the notch property adjacent to the development. Although they do not live in the home, they are concerned with the impact on property values and establishing a precedent. COMMISSIONER McSWAIN confirmed that the WEINSTEIN property is directly south of the proposed parking. MR. FREGGIARO raised a question about NDOT denying access to Charleston.

PETER VALLE, owner of property to the west, 2801 W. Charleston, welcomed the project as designed to correct a mess and improve the street.

RUTH ABDO, 2812 Ashby Avenue, expressed a concern with access via Cahlan, through the community. She questioned the hours and inpatient versus outpatient care. The crosswalk for the West Charleston School is just down the street from where this building would be. It would impact the neighborhood, including the one-acre or greater residential estates on Ashby.

MR. SINGER replied that this is a day facility, probably hours 9:00 a.m. to 5:00 or 6:00 p.m. The rehab center is limited by Medicare as to the number of patients at any given time. That will insure the statements as to parking needs.

COMMISSIONER McSWAIN ascertained with MR. SWANTON that the commercial development standards limit both the height and restricts structures fronting on Charleston between Rancho and Valley View to one-story. She stressed that she would like to see this type of quality development at this site. The setbacks are not significant, so long as the landscaping is adequate. The only issue would be the Charleston access. So long as access remained adjacent to a residential property, drawing traffic into the neighborhood, she could not support the application. All of the other components are mitigated or acceptable. MR. SINGER responded that the access issue would be addressed with staff as a condition of approval.

GINA VENGLASS, Public Works, outlined the need for NDOT approval of any Charleston access. However, that is usually permitted if there is an existing driveway accessing Charleston. MR. SINGER noted that the preference would be with Charleston access. MR. DURAN summarized meetings with the NDOT right-of-way supervisor where the proposed curb cut was absolutely rejected due to traffic volume.

## PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 25 – VAR-3291

**MINUTES – Continued:**

COMMISSIONER DAVENPORT stated that he lives nearby and the two-story restriction has only been in place for about eight years. There are numerous two-story buildings along Charleston, with even taller buildings on the north side of Charleston. GARY LEOBOLD, Planning and Development Department, clarified that a 2001 study addressed the height issue and the neighbors were adamant about maintaining that restriction. COMMISSIONER DAVENPORT agreed with MR. SINGER that the number of stories did not matter, this building would be between two taller buildings.

COMMISSIONER DAVENPORT and MR. SINGER absolutely concurred that resolving the access issue with NDOT would be a condition of approval. COMMISSIONER McSWAIN countered that she could not support even an exit only onto Cahlan because of the increased traffic hazards for the neighborhood. She also questioned the effect if the occupants and office use changed. That might create a future problem. DAVID CLAPSADDLE, Planning and Development Department, explained that the variance for parking would run with the land regardless of the occupants of the building. That uncertainty is staff's concern with granting parking variances. COMMISSIONER DAVENPORT pointed out that the occupant will be one of the owners of the building. Similar variances have been granted for specific uses. MR. CLAPSADDLE responded that in one instance a condition was imposed on the variance tying it to that specific use. The Commission may impose any reasonable condition.

COMMISSIONER NIGRO agreed with COMMISSIONER McSWAIN that the majority of the issues can be mitigated. The parking variance creates the greatest barrier. His experience is that this type of coverage is very significant. The project is a good use of the site, just overbuilt. MR. SINGER offered a restriction on the use of the first floor. CHAIRMAN TRUESDELL added that if the Commission makes a mistake as to onsite parking, the parking will move onto the residential streets. The building will also create a greater impact on Cahlan than the existing buildings with less density in the area. It could also set a precedent. In addition, the City invested a significant amount of work in the 2001 study.

COMMISSIONER DAVENPORT stated that ROBERT GENZER, Director of Planning and Development Department, had suggested the applications could be approved subject to a 2-year review. If parking were deficient at that time, the developer could be required to acquire additional parking. In the event that additional parking could not be obtained, the use permit would be revoked. COMMISSIONER McSWAIN noted that such a condition was imposed in the past where there was an obvious fix available. She would need to know where the fix would be for this \$3 million project. MR. SINGER commented that there had never been a response from MR. WEINSTEIN to the offer to purchase an easement. That might be one way to extend the parking. The developer is willing to run the risk because of his certainty a study will support his belief. MR. KAPLAN repeated that Medicare restricts the number of patients that can be seen and the majority are transported by van. COMMISSIONER McSWAIN confirmed with MR. DURAN that there are only 12 employees.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 25 – VAR-3291

**MINUTES – Continued:**

COMMISSIONER NIGRO expressed concern with opening the door to major parking variances subject to use restrictions. That is not the intent of the code. It would be very difficult to close the business or force a portion of it to sit vacant. He could not support such a significant parking variance. CHAIRMAN TRUESDELL agreed, citing the other option as a result of the review of building a parking deck. That is outside the C-D zoning and too intense adjacent to R-E parcels. It would violate the intent for the south side of Charleston, west of Valley View. MR. SINGER noted that every application stands on its merits, voiding the concern with setting a precedent.

COMMISSIONER NIGRO requested clarification of the NDOT condition. MR. ANDERSON summarized that Charleston is a Nevada highway under the jurisdiction of NDOT. If there is not an existing driving currently servicing the site, the developer would need to seek permission to do any work in the right-of-way. They represent that NDOT prohibited a new driveway, which would be consistent with NDOT policy. Existing driveways only require NDOT approval if the City requires the existing driveway be remodeled. The existing driveway for this site is in the location where the building is being set. The developer will require NDOT approval of any curb change. As to the waiver of Condition 19, staff would stand by the Condition and the alternative provided in the very last sentence. MR. ANDERSON suggested that a caveat be added to Condition 18 that unless otherwise allowed by the Traffic Engineer. That would allow the Traffic Engineer to make the determination whether the existing driveway is serviceable. It does not appear to be, but the revision would allow flexibility.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed on Item 25 [VAR-3291] and Item 26 [SDR-3289].

(7:55 – 8:41)

**2-589**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST -** Request for a Site Development Plan Review and Waivers of the FRONT AND CORNER SIDE SETBACKS, THE ONE-STORY, 20-FOOT MAXIMUM HEIGHT RESTRICTION, AND A PORTION OF THE PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED TWO-STORY, 20,410 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>6</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN - DENIED – Motion carried with EVANS and DAVENPORT voting No**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

NOTE: See Item 25 [VAR-3291] for related discussion.

(7:55 – 8:41)

**2-589**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED** - Request for a Variance TO ALLOW A 190-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 219 FEET AND TO ALLOW A REAR YARD SETBACK OF 12 FEET WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED for a proposed 73-Foot Tall Slim-line Wireless Communication Facility (Non-Stealth) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – DENIED – UNANIMOUS with McSWAIN abstaining because her firm is finishing a contract with one of the applicants**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearings opened Item 27 [VAR-3236] and Item 28 [SUP-3237] .

STEVE SWANTON, Planning and Development Department, summarized the application for a non-stealth facility. However, this applicant does not meet the requirements for approval of a special use permit. The facility encroaches into the rear of the setback and violates the residential adjacency standard to the homes to the northeast and north property line. The variance application addresses the deviations from the code. The use is not compatible with the surrounding area, there is a proliferation of signs and commercial buildings and a lack of hardship to justify the variance. Staff recommended denial of both applications.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 27 – VAR-3236

**MINUTES – Continued:**

KATHRINE ENGLE, 1211 Town Center Drive, appeared on behalf of Cingular Wireless. The difficulty is that the property is covered with pads for major restaurants. The entire frontage is covered with long-term leases. The available back corner is 190 feet from residential properties. This is the eighth location sought in this vicinity. The initial proposal was to raise the existing sign and place the antennas on that. That was discouraged by COUNCILMAN MACK'S office. The restaurants will not lease to Cingular. She presented a picture of the slim line pole that will be constructed.

TODD FARLOW, 240 North 19<sup>th</sup> Street, suggested Cingular co-locate with one of the other providers in the vicinity.

CHAIRMAN TRUESDELL noted that there is a lot of air clutter in this vicinity. He suggested some other option. MS. ENGLE replied that there are no other options and the other providers do not have any space available. She has been working for two years to service this area. CHAIRMAN TRUESDELL sympathized with her dilemma, but stressed the need to avoid proliferation. COMMISSIONER NIGRO shared the Chairman's feelings. There is an ongoing problem with cell towers and signage in the area. DAVID CLAPSADDLE, Planning and Development Department, indicated that it was uncertain staff requested the usual diagram showing area towers. Staff is working on a database of existing towers and facilities. MS. ENGLE listed the existing towers in the vicinity.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed Item 27 [VAR-3236] and Item 28 [SUP-3237].

NOTE: All discussion for Item 27 [VAR-3236] and Item 28 [SUP-3237] was held under Item 27 [VAR-3236].

(8:41 – 8:52)  
**2-2335**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED** - Request for a Special Use Permit FOR A PROPOSED 73-FOOT TALL SLIM-LINE WIRELESS COMMUNICATION FACILITY (NON-STEALTH) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – DENIED – UNANIMOUS with McSWAIN abstaining because her firm is finishing a contract with one of the applicants**

**This is Final Action.**

**MINUTES:**

NOTE: See Item 27 [VAR-3236] for related discussion.

(8:41 – 8:52)

**2-2335**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST** - Request for a Variance TO ALLOW A 27-FOOT SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 78 FEET for a proposed Private School, Primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN:125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>8</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

NOTE: CHAIRMAN TRUESDELL disclosed that he has sat on the Board for the Meadows School for 19 years, but it would not impact his ability to vote and he would do so.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearings opened for Item 29 [VAR-3360] and Item 30 [SDR-3284].

## PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 29 – VAR-3360

**MINUTES – Continued:**

GARY LEOBOLD, Planning and Development Department, outlined the variance request and site development plan for the 17,290 square foot private primary school with rear outdoor play areas. The landscaping and commercial development standards are met, except for the residential adjacency issue and handicapped parking. The handicapped parking is easily addressed. This is an internal lot surrounded on three sides by R-E zoned properties and almost entirely within a rural preservation neighborhood buffer zone. Senate Bill 391 states that governing body shall, as practical, adopt zoning restrictions to maintain the rural character of an area developed as low-density residential development. A private school is not consistent with the buffer zone requirements. Staff recommended denial of the site development plan. With regard to the variance, the 26-foot tall building would require a 78 foot setback which is encroached into on the west side of the property. The 11/19/2003 neighborhood meeting was not required. At that meeting, concerns were raised regarding noise and hours of operation. The applicant did not present any justification and staff recommended denial of the variance as well.

SUSAN JOHNSTON, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, appeared on behalf of the applicant. The proposed operator of the school, MELISSA VAN BLANKENSTEIN, was also present. A school is a permitted use subject to adequate off-street parking and loading. This school meets that requirement with two-lanes in, drop-off/pick-up and two-lanes back out. There is adequate visitor and staff parking. The school is oriented for placement of the play areas. This is further away and lower than a standard R-E home would be from existing residential properties. A promise has been made to the neighbors that there will be no outside public address system, security lighting along the back of the building that will not impact the neighborhood and enhanced landscaping around the outside of the property. The outside area will not be athletic fields. This is a Christian school with set teaching policies and more homework. Students in Safe-Key will stay inside working on homework. The only noise would be during recess, lunch and briefly after school.

MS. JOHNSTON outlined how MS. VAN BLANKENSTEIN will work with the existing elementary school on the other side of Rebecca so that their hours are staggered to avoid increasing the traffic. The facility will have daycare before and after school, further spreading out the traffic impact. The Southwest Mission style created a larger multi-purpose room, with an extra high ceiling for air flow and lighting.

CHARLES MOLINA, 6224 Newkirk Court, pointed out the density issue with Azure. Other development has created significant traffic on Azure and more is anticipated in the future. He used an aerial map and photographs to demonstrate where traffic problems are and will increase. Staggered hours will not stop these problems. Drivers park along Rebecca and cut across land to avoid backed up traffic.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 29 – VAR-3360

**MINUTES – Continued:**

ROSE and DAVID BOWE, 6500 Bullring Lane, protested that she moved to her property, adjacent to the south of the proposed school, for the rural character. The existing elementary school has already brought tremendous traffic that speeds through the neighborhood. The 180 children will destroy her peace and quiet. If approved, she requested conditions to restrict lighting, public address systems and require the school increase her six-foot block wall to 10-feet. MR. BOWE echoed his wife's concerns, adding a protest about permitting commercial development against his residential property.

JEAN HOSEIN, 6216 Newkirk Court, agreed that the elementary school, post office and Centennial Center have increased traffic. She raised concerns with her daughter when she starts walking to Lied, overcrowding at the existing elementary school, invasion of the neighborhood by parent traffic and extended hours due to Safe-Key.

MADELINE MINUTO, 6213 Newkirk Court, also opposed the project due to traffic concerns.

MS. JOHNSTON agreed to increase the height of the BOWE wall as may be feasible from an engineering standpoint. The enhanced landscaping will also address privacy issues. There is a need for schools throughout the Valley, especially those that provide a neighborhood feel versus an institutional feel.

COMMISSIONER McSWAIN agreed that this would be a beautiful facility that would serve the public well and that schools are needed in the community. Her concern was with the proximity to another school, the failure to require a special use permit for schools within a residential area, the encroachment into the setback and the increase to the intensity of use. She could not support an encroachment where the use is an imposition on the neighbors.

COMMISSIONER GOYNES discussed with MS. JOHNSTON and MS. VAN BLANKENSTEIN the 180 maximum students and the would be 180 students and addressing the parking nightmare during special events by utilizing the public school parking spaces. If nothing can be worked out with the neighborhood, then the programs would have to be split to create smaller events. MS. VAN BLANKENSTEIN indicated that she operated in California for 30 years and was asked to do private schools here in Las Vegas because of the need and growth. Her desire is to be a neighborhood asset, help families with their children. Private schools do have greater control and safeguards. COMMISSIONER GOYNES summarized his experience with traffic surrounding schools, bad drivers and accidents involving children.

COMMISSIONER EVANS stressed that this is a great project, good concept but wrong location. Regardless of a wall, there is no way to mitigate the intrusion on the residential neighbors. Those neighbors have property rights.

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 29 – VAR-3360

**MINUTES – Continued:**

COMMISSIONER NIGRO stated both private and public schools are challenged. Residential areas oppose them and they do not belong in commercial areas. Using the facilities of the public school would be a good idea. The problem with Azure is that it is undeveloped. COMMISSIONER EVANS added that another problem is that it is not on the corner, but sandwiched between R-E properties. That increases the concern for safety issues.

CHAIRMAN TRUESDELL indicated that private schools are wonderful, but a challenge for locating. Given 180 students, no school could provide parking for special events and trying would create huge parking lots that would be empty all the time. The fact appears to be that there would be one car per child, creating over 100 cars queued up for an hour in the morning and an hour in the afternoon. That is a serious concern for this site in the middle of a block in an area not fully developed. This is not the right location. MS. VAN BLANKENSTEIN rebutted that the location was selected specifically because of the residential character. She has also made a point with her other schools to locate them near a public school. CHAIRMAN TRUESDELL confirmed with MS. VAN BLANKENSTEIN that the extended day is 6:00 a.m. to 6:00 p.m. and is a non-profit facility hoping to pay its bills. The setback encroachment would not change the noise volume given the intensity of the use. There is no transition between use intensities.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed for Item 29 [VAR-3360] and Item 30 [SDR-3284].

NOTE: COMMISSIONER McSWAIN discussed with MR. GENZER investigating tougher conditions for a school within residential areas. In the event an applicant cannot meet those tougher conditions, it would trigger a special use permit situation.

(8:52 – 9:31)

**2-2906/3-1**

**RECESSED: 9:31 – 9:41 P.M.**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3284 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST** - Request for a Site Development Plan Review FOR A PROPOSED PRIVATE SCHOOL, PRIMARY on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN: 125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**8**

**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

NOTE: CHAIRMAN TRUESDELL disclosed that he has sat on the Board for the Meadows School for 19 years, but it would not impact his ability to vote and he would do so.

**MINUTES:**

NOTE: See Item 29 [VAR-3360] for related discussion.

(8:52 – 9:31)

**2-2906/3-1**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3196 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN DERRELL PARKER & SHELLEEN ABRAMS** - Request for a Variance TO ALLOW A 36-FOOT, 2-½ INCH FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED for a proposed Entry and Powder Room addition at 3309 Hastings Avenue (APN: 139-32-402-004), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, outlined the concern that the standards for granting a variance had not been met and there is no hardship. The house orientation on the lot will cause encroachment into the front setback while there is room in the rear without violating that setback. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 31 – VAR-3196

**MINUTES – Continued:**

MARC LEMOINE, 8687 West Sahara Avenue, appeared with and on behalf of the homeowners, MR. and MRS. PARKER. He presented a diagram of the addition which will provide an entrance into the house along with the powder room. It is difficult to put an entrance to the side or rear of the property. The addition is only a small portion of the overall improvements to the property. There is a master bedroom addition and a carport. The home is located immediately behind the AAA building on Charleston. The owners should be commended for making the improvement in an attempt to mitigate the impact of the Charleston commercial development on the neighborhood. The addition is in character with the house and the neighborhood. He presented photographs of the existing home. CHAIRMAN TRUESDELL confirmed that the applicants concurred with the proposed conditions. DERRELL PARKER, 3309 Hastings, added that 10 or 12 of the immediate neighbors had signed a support petition.

COMMISSIONER McSWAIN pointed out that the applicants' presentation demonstrated that the application was reasonable and garnered her support.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:41 – 9:46)

**3-665**

**CONDITION:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3198 - MARC LEMOINE ARCHITECTURE ON BEHALF OF FRANK J. FERTITTA III & JILL ANN FERTITTA FAMILY TRUST** - Request for a Variance TO ALLOW A SIX-FOOT SIX-INCH FENCE WITH EIGHT-FOOT MASONRY PILLARS WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED, on 1.73 acres at 9400 Kings Gate Court (APN: 138-31-710-007), R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 2 (L.B. McDonald).

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter from Queensridge Homeowners Association

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, stated that this is the first variance request of its kind in the Queens Ridge Subdivision where lots have been developed since 1998. There is no evidence of any undue burden with regard to the front wall height. There has been no demonstration of hardship other than that of a personal nature. The Homeowners Association left a message regarding questions, but did not lodge an objection. Staff recommended denial.

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 32 – VAR-3198

**MINUTES – Continued:**

MARC LEMOINE, 8687 West Sahara Avenue, appeared with DAVID SALKOWITZ, Lifescapes, and MATTHEW WARDEN, Sacer Rosette security firm, on behalf of the applicants. The Homeowners Association has approved the total landscape plan, which included the wall or fence. He submitted a copy of the approval letter. Using a map of Queens Ridge, he demonstrated those properties, one of which the applicants purchased. These large properties are designed as estate-type lots. This house is 12,000 square feet and another across the street is 10,000 square feet. The setback from the street is 75 feet for most of the uniquely sized lots. The enclosure is part of the character of the home, consistent with the European style with stone/slate/wood exterior materials and a fence design that incorporates the same rich materials. MR. WARTON can address the unfortunate need for security required by high-profile citizens. The applicants' small children make that especially critical. The need for added protection is not a self-created hardship.

MR. SALKOWITZ, 4930 Newport Beach, Campus Drive, reviewed the higher fence incorporated into the design. The fence runs the front of the property with a main and secondary gate. He presented elevations to demonstrate the character of the fence, while remaining open with wrought iron and intermittent pilasters. It remains visually open but provides a secure, intimate environment.

TODD FARLOW, 240 North 19<sup>th</sup> Street, noted that Items 32 and 33 are zoned 7 units per acre but are each only being used for one home. CHAIRMAN TRUESDELL replied that it was simply the plan for the golf course development.

COMMISSIONER McSWAIN verified that the approval letter supported the increased height of the fence. This is a gated community, but the home is located at the end of the cul-de-sac. Her only concern was with setting a precedent. This location does not impact the rest of the neighborhood and the applicants' representative made a fair argument about the owners' needs. The design is aesthetically pleasing. MR. LEOBOLD was unable to speak to the understanding of the Homeowners Association. COMMISSIONER EVANS confirmed with MR. LEMOINE that there were no objections from the other 10 to 12 homeowners. The next agenda item is a request for a similar fence. The prominence of the property owner would not impact his decision, but the lack of protest justified his support of the application.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 32 – VAR-3198

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(9:46 – 9:59)

**3-834**

**CONDITION:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-3246 - RICHARD LUKE ARCHITECTS ON BEHALF OF CHARLES M. AND PATRICIA A. VARNEY** - Request for a Variance TO ALLOW A PROPOSED SIX FOOT WALL WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 1.9 acres at 9511 Kings Gate Court (APN: 138-31-710-001), R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 2 (L.B. McDonald).

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission meeting – Support letter from Queensridge Homeowners Association

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, advised that this application is similar to the last one and staff recommended denial for the same reasons.

RICHARD LUKE, 9061 West Sahara Avenue, appeared with and on behalf of CHUCK VARNEY, 1820 Wind Canyon Drive. This is similar to the previous request with a 1.9 acre parcel with an 18,000 square foot house. The increased fence would consist of a 2-foot lower stucco portion with a 4-foot wrought iron section above that. There is one gate approximately 6-foot high topped with decorative wrought iron. There is same need for additional security for this home. MR. LUKE submitted an approval letter from the Homeowners Association.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 33 – VAR-3246

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:59)

**3-1179**

**CONDITION:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-3277 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON** - Request for a Special Use Permit FOR A 24,397 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened on Item 34 [SUP-3277] and Item 35 [SDR-3279].

DAVID CLAPSADDLE, Planning and Development Department, announced that this project meets or exceeds all parking, landscaping and residential adjacency standards. There are no waivers requested. It is within a rural preservation neighborhood, but that does not apply due to the non-residential use. The building is 31 feet in height and the 70-foot steeple is exempted from the height standards pursuant to the residential adjacent standards of the code. An neighborhood meeting was held where there were no objections. Staff recommended approval.

KEVIN REISCH, Jerry Miller & Associates Architects, 624 South Ninth Street, appeared on behalf of the applicant and concurred with the conditions.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 34 – SUP-3277

**MINUTES – Continued:**

COMMISSIONER McSWAIN discussed with MR. CLAPSADDLE and MR. REISCH that the 70-foot steeple is standard. A previous application fell under different circumstances from this more usual request.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [SUP-3277] and Item 35 [SDR-3279].

NOTE: All discussion for Item 34 [SUP-3277] and Item 35 [SDR-3279] was held under Item 34 [SUP-3277].

(9:59 – 10:02)

**3-1298**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Church/House of Worship use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3279.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3279 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON** - Request for a Site Development Plan Review FOR A PROPOSED CHURCH/HOUSE OF WORSHIP on 4.86 acres adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City on 1/7/2004.**

**MINUTES:**

NOTE: See Item 34 [SUP-3277] for all related discussion.

(9:59 – 10:02)

**3-1298**

**CONDITIONS:**

Planning and Development

1. Special Use Permit (SUP-3277) approved by City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 35 – SUP-3279

**CONDITIONS – Continued:**

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 35 – SUP-3279

**CONDITIONS – Continued:**

Public Works

14. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.
16. Construct half-street improvements including appropriate overpaving, if legally able on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Also, this site is responsible to construct half-street improvements on Jones if not ultimately constructed with Special Improvement 1487.
17. If not already constructed at time of development, coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Dorrell Lane to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
18. Provide notarized permission from the adjacent property owner to construct any portion of the entry that encroaches onto the adjacent property to the south.
19. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Landscape and maintain all unimproved rights-of-way on Jones Boulevard and Dorrell Lane adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Dorrell Lane public rights-of-way adjacent to this site prior to occupancy of this site.

## PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 35 – SUP-3279

**CONDITIONS – Continued:**

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
- Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST** - Request for a Special Use Permit and a Waiver of Title 18.12.160 (Street Intersection Offset Requirements) FOR A PRIVATE STREET WITHIN A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.13 acres adjacent to the northeast corner of Tenaya Way and O'Bannon Drive, (APN: 163-03-702-005), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, summarized the project as being similar to others on the block. The private street requires a special use permit. Each lot would be required to consist of 20,000 square feet of net area. Pertaining to the vacation request, the easements are no longer necessary. Staff recommended approval of the special use permit and the vacation.

ERNIE FREGGIARO, Integrity Engineering, 2480 E. Tompkins, appeared on behalf of the applicant and concurred with the conditions.

COMMISSIONER McSWAIN thanked the applicant for a project that fits. MR. FREGGIARO thanked staff for the change in Title 19.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 36 – SUP-3254

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(10:02 – 10:04)

**3-1414**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. A Homeowner's Association shall be established to maintain all private roadways and common areas created with this development.
5. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST** - Petition to Vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way, Ward 1 (Moncrief).

**SET DATE: 12/17/03 C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

To be heard by the City Council on 1/7/2004.

**MINUTES:**

NOTE: See Item 36 [SUP-3254] for all related discussion.

(10:02 – 10:04)

**3-1414**

**CONDITIONS:**

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 37 – VAC-3255

**CONDITIONS – Continued:**

4. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION** - Request for A Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4910 Vegas Drive (APN: 138-24-804-012), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – Motion carried with DAVENPORT abstaining because of a current contractual agreement with Lamar Outdoor Advertising**

**This is final action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, explained that the sign met all base conditions in the code as to location, size, height and distance separation requirements. However, the sign is located within the City's Redevelopment Plan area where the objections include elimination of environmental deficiencies and blight constituting a social or economic liability. The billboard does not support the objectives of that Plan and staff recommended denial.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and stressed that the sign met or exceeded all minimum separation requirements within the predominantly commercial area. The use is compatible with the surrounding area. As a result of the removal of another Lamar sign, the closest existing sign is more than a mile away.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 38 – SUP-3266

**MINUTES – Continued:**

CHAIRMAN TRUESDELL confirmed with ROBERT GENZER, Director of Planning and Development Department, that another sign across the street was approved by the City Council on December 3. That raises a question as to an impact on the distance radius since the other sign has been approved but not yet constructed.

TODD FARLOW, 240 North 19<sup>th</sup> Street, verified with MR. LEOBOLD that the site, developed with a car wash, is being kept tidy.

COMMISSIONER McSWAIN expressed her disappointment with approval of a billboard in this area. She could not support this sign in an area that is in need of redevelopment. CHAIRMAN TRUESDELL pointed out that the east/west arterial will not generate an audience for the sign. MR. NAFTZGER responded that the sign is in anticipation of development of the corner. CHAIRMAN TRUESDELL concurred with COMMISSIONER McSWAIN, adding that it could create a row of signs from Decatur to US95.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:04 – 10:09)

**3-1506**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPANY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR located at 775 South Grand Central Parkway, Suite 1301 (APN: 139-33-710-001), PD (Planned Development) Zone, Ward 5 (Weekly).**

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, stated that this 8100 square-foot restaurant/service bar would be located in Building 6 of the Premium Outlet Mall. There are no sensitive uses within the 400 distance separation and staff recommended approval.

TED BIRKLAND, 8101 Lake Hills Drive, appeared on behalf of the applicant and concurred with the conditions. This will be a sushi buffet similar to the one at Flamingo and Decatur.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 39 – SUP-3268

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(10:09 – 10:11)

**3-1706**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Restaurant Service Bar use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED** - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**This is final action.**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, advised that the sign met all base code requirements. However, there are residential zones and other signs just one and ten foot, respectively, beyond those separation distances. The sign would not be compatible with the area or eliminate visual clutter on the property. Staff recommended denial.

ANDY BILANZICH, Reagan National Advertising, 1464 East Michigan Avenue, appeared on behalf of the applicant, concurred with all conditions and stressed that all requirements have been met. To avoid obstructing the property owners' signage, this sign would be placed behind.

TODD FARLOW, 240 North 19<sup>th</sup> Street, protested the visual clutter.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 40 – SUP-3269

**MINUTES – Continued:**

COMMISSIONER DAVENPORT clarified that staff checks for signs in both the City and County and none currently exist in the County within the vicinity. CHAIRMAN TRUESDELL pointed out that there are no billboards across the street where the properties are vibrantly developed. Across the street there are billboards and the buildings are in disarray with a high tenant turn over with very little reinvestment. He questioned enriching property owners who do not put anything back. MR. BILANZICH rebutted that the center in question was remodeled at a significant cost within the last five years.

COMMISSIONER EVANS indicated he would prefer a billboard on this site than the three to the east abutting residential areas. The consensus appears to be that there is an area saturation. COMMISSIONER GOYNES discussed with MR. BILANZICH that the sign pole will be of a decorative nature. The engineering has been completed and it will be similar to the signs at the mall by the County. It will include stuccoing matching the southwestern buildings and they would not be opposed to increased landscaping. There is a significant cost associated with doing so.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:11 – 10:19)

**3-1781**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3263 - PLANE REALTY CORPORATION** - Request for a Site Development Plan Review and a Waiver of The Las Vegas Downtown Centennial Plan Development Standards FOR A PROPOSED 3,125 SQUARE-FOOT WEDDING CHAPEL AND SERVICE BUILDING on 0.16 acres adjacent to the northeast corner of 3rd Street and Bonneville Avenue (APN: 139-34-311-094), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – ABEYANCE to 1/8/2004 – UNANIMOUS with TRUESDELL abstaining because of a landlord/tenant relationship with MR. DEMETRIUS on another property**

NOTE: ROBERT GENZER, Director of Planning and Development Department, disclosed that his wife and mother-in-law own property within the notification radius and he has not been involved with this particular item.

**MINUTES:**

VICE CHAIR NIGRO declared the Public Hearing opened.

MARGO WHEELER, Deputy Director of Planning and Development Department, outlined this small project within the office corridor of the Downtown Centennial Plan. Wedding chapels are permitted uses and even encouraged in some fashion. The issues with this project are with the design. Staff is seeking significant aesthetic enhances and she listed five additional conditions being proposed to address aesthetics as well as traffic, access and parking concerns. Staff recommended approval, although they would prefer an abeyance to address the many issues raised.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 41 – SDR-3263

**MINUTES – Continued:**

Architect LEO BARNES and property owner MIKE DEMETRIUS, 2919 Bel Air Drive, indicated that they would work with staff regarding the areas of concern. The white picket fencing works with a wedding chapel and they would ask to be permitted to incorporate a small amount into the design.

TODD FARLOW, 240 North 19<sup>th</sup> Street, clarified the FAR or floor-area ratios as being the relationship between the amount of building square footage to the lot square footage. In the Centennial Plan area, the intent is for the greatest utilization resulting in a higher FAR.

COMMISSIONER GOYNES commented the project looks good. VICE CHAIR NIGRO questioned whether the issues regarding the conditions could be resolved without an abeyance. If the issues are not resolved, the recommendation could be changed prior to reaching City Council. MR. BARNES indicated that he believed it could. MS. WHEELER noted that the concern is not with the working relationship, it is the significance of the conditions themselves. Working with the applicant could result in a project that did not require so many conditions. DEPUTY CITY ATTORNEY BRYAN SCOTT advised that the Commission could hold the item at their discretion. COMMISSIONER DAVENPORT supported an abeyance. MS. WHEELER noted that she would recommend a 30-day abeyance. The modifications would include elevations, streetscapes, access, handicapped parking and additional parking. All of these may require additional space on the lot and result in a change in the square footage of the building.

MR. DEMETRIUS commented that they had agreed to the 21 conditions they knew about, although they were asking for a slight change to allow a small portion of white picket fencing. As for the five new conditions, he had not known about them until this meeting. Matters could be resolved with staff and he would urge approval subject to appropriate conditions in order to avoid another meeting. VICE CHAIR NIGRO explained that if accepted, the conditions would dramatically change the plan. Both the Commission and staff would need time to then evaluate the revised plan. MR. DEMETRIUS denied that there would be a significant change to the project, but that could come back to the Commission if that did occur.

MS. WHEELER explained for COMMISSIONER McSWAIN that staff spoke with the applicant regarding their concerns and requested an abeyance to work the situation out. The applicant declined to abey and staff did not have enough time after that to review the additional conditions with the applicant.

There was no further discussion.

VICE CHAIR NIGRO declared the Public Hearing closed.

(10:19 – 10:32)

**3-2102**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SDR-3267 - UHS OF DELAWARE, INC. ON BEHALF OF MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED HOSPITAL on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way (APN: 125-20-601-001 and a portion of 125-20-501-001), T-C (Town Center) Zone [MS-TC (Main Street Mixed Use – Town Center) land use designation], Ward 6 (Mack).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions and amending Condition 21 to read:**

**21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.**

**– UNANIMOUS with TRUESDELL abstaining because he represents the adjacent property**

**This is Final Action.**

NOTE: COMMISSIONER DAVENPORT disclosed that his daughter works for Summerlin, which is owned by this applicant. He had not discussed the matter with his daughter, did not feel there was a conflict and stated he would vote on the application.

**MINUTES:**

VICE CHAIR NIGRO declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, explained that the site is directly north of the Kohl's site with a total square footage of 677,000 square feet for a 492,000 square foot main hospital building, a four-story hospital complex and an eight-story tower. All

**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 42 – SDR-3257

**MINUTES – Continued:**

the structures will be connected to a 10,000 square foot one-story cancer center. This density and intensity fits well with the Montecito Town Center standards. The project complies with all parking and landscaping standards. He pointed out specific conditions regarding trash enclosures, conformance to Montecito Town Center standards, a future master sign plan and an updated traffic analysis and drainage study. Staff recommended approval. The notification area included Timberlake and there were no protests in response to the notification.

PRESTON HOWARD, 2700 West Sahara Avenue, appeared on behalf of the applicant, along with MATT WERNER, Montecito Properties. He presented the site plan and colored depiction of the elevations.

GINA VENGLASS, Public Works, requested that Condition 21 be amended to delete the words “and parking” from the joint access and parking agreement language. She also clarified for the applicant that the area traffic mitigation fee determination will be based upon the existing development agreement. MR. HOWARD concurred with the condition revision and the clarification. There is no need for joint parking as both this site and the one to the east are sufficient in size to provide on-site parking. The concerns raised by the property owner to the east regarding access, drainage, elevations and vehicular/pedestrian traffic are mostly addressed by the conditions or by the general concept of the town center standards. He also thanked staff for enabling the project to come forward in such fine shape.

No one appeared in opposition.

There was no further discussion.

VICE CHAIR NIGRO declared the Public Hearing closed.

(10:32 – 10:40)

**3-2102**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect street section development that complies with the standards of the Town Center Development Standards Manual, and to identify how trash collection facilities will be adequately screened to meet Code requirements.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 42 – SDR-3267

**CONDITIONS – Continued:**

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 42 – SDR-3267

**CONDITIONS – Continued:**

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. The Final Map for Montecito Town Center North (FMP-2819) must record prior to the issuance of any building permits for this site.
16. Construct half-street improvements including appropriate overpaving on Deer Springs Way and Durango Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. An update to the Montecito Master Sewer Plan must be submitted and approved by the Collection Systems Planning Section of the Department of Public Works prior to the submittal of any construction drawings for this site. Comply with recommendations of the approved plan.
19. Landscape and maintain all unimproved rights-of-way on Deer Springs Way and Durango Drive adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Deer Springs Way and Durango Drive public rights-of-way adjacent to this site prior to occupancy of this site.
21. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.

## PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 42 – SDR-3267

**CONDITIONS – Continued:**

22. An update to the previously approved Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
24. Site development to comply with all applicable conditions of approval for Z-76-98, TMP-1244, FMP-2819, Montecito Town Center Development Agreement, and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC. - Request for a Site Development Plan Review FOR A PROPOSED 220,000 SQUARE-FOOT, FOUR-STORY PARKING STRUCTURE on 28.10 acres adjacent to the southeast corner of Tenaya Way and Cheyenne Avenue (APN: 138-15-510-005), C-PB (Planned Business Park) Zone, Ward 4 (Brown).**

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUSDELL abstaining because he holds an interest in a surgery center where Sunrise also holds an interest and NIGRO abstaining because MARK HOWARD sits on the board that negotiates the contract to manage the Las Vegas Technology Center association**

**To be heard by the City Council on 1/7/2004.**

**MINUTES:**

COMMISSIONER GOYNES declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, advised that the four-story parking garage will create a net gain of 364 parking spaces. Staff concerns include the need for 10% of parking to be handicapped accessible. The plan does not appear to comply with that standard and the applicant will be required to bring it into compliance. The second concern is the location of handicapped parking. The existing 64 valet parking spaces is located where the handicapped spaces would be placed pursuant to code and the applicant would need to redesign that parking to meet the code standards. Staff recommended approval.



**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 43 – SDR-3273

**MINUTES – Continued:**

MARK J. HOWARD, Mountainview Hospital, 3100 North Tenaya Way, appeared with architect MATTHEW NITCH. MR. NITCH reminded the Commission that the valet parking area was examined during the hearing on the southwest parking structure. That area does not meet ADA standards because of the land slant. The new 144-bed tower will create the need to add additional parking, mostly to serve those utilizing the new office building. The handicapped parking needs will be met. Existing handicapped parking is running one-half to one-third occupied daily. MR. CLAPSADDLE stressed that the conditions merely require the applicant work with the staff on the handicapped parking. MR. NITCH agreed to do so.

MR. CLAPSADDLE added that the floor plans include access routes behind more than one accessible parking space, which is not permitted by code. Another access is shown exiting into a landscaping planter. Staff wants to make sure access routes are corrected. MR. HOWARD also agreed to meet with staff to do so.

TODD FARLOW, 240 North 19<sup>th</sup> Street, protested the horizontal lines on the elevations. He suggested that be reworked.

MR. HOWARD questioned MS. VENGLASS about the status of Conditions 14 and 15, which the applicant believed were deleted. MS. VENGLASS added that Condition 14 regarding the dedication of Cheyenne Avenue right-of-way remained, but Condition 15 was deleted and the total number of conditions reduced from 19 to 18.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GOYNES declared the Public Hearing closed.

(10:40 – 10:48)

**3-3112**

**CONDITIONS:**

Planning and Development

1. The site plan shall be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 43 – SDR-3273

**CONDITIONS – Continued:**

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The proposed building material finish and color scheme shall match the existing buildings on-site.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 43 – SDR-3273

**CONDITIONS – Continued:**

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 10 feet of right-of-way and radii as appropriate along Cheyenne Avenue.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-85 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED ANIMAL SHELTER AND VETERINARY COMPLEX on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road (APN: 139-25-801-002 and 003; 139-25-405-007), C-V (Civic) Zone, Ward 3 (Reese).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, explained that this project will include cats and dogs, along with other kinds of animals. There will be doggie bungalows, a surgical center, a 9,000 square foot obedience school allowing for boarding animals and an adoption park. There is a residential component for veterinary student. The residency adjacency standards do not apply to the multi-family project. Staff recommended approval.

MARK FIERO, 803 South Sixth Street, appeared on behalf of the Animal Foundation and concurred with the assessment that the project is compatible with the neighborhood. The only area of concern is with the landscaping on the west boundary of the property. The project will be powered with electricity generated by solar panels. This will be the largest solar installation in

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 44 – SDR-3275

**MINUTES – Continued:**

the City of Las Vegas. That requires that other trees that will not grow as large as the evergreens suggested by staff be used. Anything blocking the free-flow of air will impact the ventilation system and blocking daylight will impact the output of the solar panels. The Foundation is committed to working with staff to identify a viable alternative.

RANDY SPITSMEISER, Kimsey Architects, confirmed with COMMISSIONER EVANS that the developer discussed with staff continuing to work together to develop a plan that would be acceptable and aid in buffering. MR. CLAPSADDLE verified that the staff is agreeable so long as adequate landscaping and screening is provided for the residential areas near this facility. Staff will work with the developer between this meeting and the Council review. COMMISSIONER EVANS stressed that the species and height of the tree would be significant in order to avoid impeding this exceptional solar system.

COMMISSIONER McSWAIN confirmed with MR. FIERO that this is the new 35,000 square foot facility that the Foundation moved into three years ago. The new facility was totally built with private donations. The facility has one of the lowest euthanasia and highest adoption rates in the Western United States. The old facility was across the street. COMMISSIONER McSWAIN stressed that the old facility was not fit for humans to work in, let alone a place in which to keep animals. CHAIRMAN TRUESDELL supported the landscaping based on his support of the solar program. However, he urged the developer be sensitive to the residential properties on the west side of Manning. Those properties should not be diminished in order to enhance this facility. MR. FIERO concurred.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(10:48 – 10:55)

**3-3605/4-1**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 44 – SDR-3275

**CONDITIONS – Continued:**

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect trash enclosures with roofs.
4. One monument sign is permitted along the Harris Street frontage, with a minimum setback of five feet.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum eight-foot wide planter on the north side of Harris Street that contains 24-inch box trees planted a maximum of 20 feet on-center. Parking lot landscape islands shall be depicted in the lot on the north side of Harris Street. A minimum of four five-gallon shrubs shall be reflected for each 36-inch or 24-inch box tree within provided planters on both the north and south side of Harris Street. The plan shall also reflect 24-inch box evergreen trees planted a minimum of 20 feet on center along the west property line.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 44 – SDR-3275

**CONDITIONS – Continued:**

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
16. Construct half-street improvements on Harris Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
19. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 44 – SDR-3275

**CONDITIONS – Continued:**

20. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [SDR-1769], to allow a building height of three stories or 35 feet where a building height of two stories or 35 feet is required, on 41.21 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because she is currently under contract with Astoria Homes**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened on Items 45 [ROC-3228] and Item 46 [ROC-3240].

GARY LEOBOLD, Planning and Development Department, summarized that the review of condition will allow the applicant to develop three-story houses on the central four of each eight-pack unit instead of two-story houses. This will impact 88 lots of the 498-lot project. Since the homes are internally located and will not be readily visible from surrounding sites, staff recommended approval. The revised elevations submitted address the issues with Condition 2, which will not require amendment, and only Condition 3 will need to be amended. As for Item 46 with regard to Condition 4, the request for the 174 single-family product with direct street



**PLANNING COMMISSION MEETING OF DECEMBER 4, 2003**

Planning and Development Department

Item 45 – ROC-3238

**MINUTES – Continued:**

access is to reduce the driveway from 20 feet to 18 feet. All other setbacks remain unchanged. Staff recommended approval due to the minor nature of the request and because cars will still be able to park within the space proposed.

LORA DREJA, VTN-Nevada, 2727 South Rainbow, appeared on behalf of the applicant and concurred with the conditions proposed for both applications.

TODD FARLOW, 240 North 19<sup>th</sup> Street, commented that for this project to be feasible, it will need taller buildings. That will be necessary to meet the 2020 Master Plan. The Commissioners should have attended the Sustainable Architecture lecture given December 3, 2003, where there discussion of this very subject.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Items 45 [ROC-3228] and Item 46 [ROC-3240].

(10:55 – 11:00)

**4-188**

**CONDITIONS:**

Planning and Development

1. Revise Condition No. 3 of SDR-1769 to read as follows:
  3. The standards for this development shall include the following: minimum distance between buildings of 6.5 feet, and building height shall not exceed three stories or 35 feet, which ever is less. Development may occur in accordance with any waivers that have been granted with respect to this application, which include a waiver to amend the street section of Farm Road, a waiver of minimum sidewalk widths and a waiver of the tandem parking restriction for single-family development in Title 19. Sidewalks with a width of four feet shall be completely clear of all above-ground appurtenances.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 4 of an approved Site Development Plan Review [SDR-1769], to allow 18-foot setbacks to the front of the garage as measured from the back of sidewalk or from back of curb where no sidewalk is provided for lots 294 to 396 and 418 to 489 (179 lots) where a 20-foot setback is required on 41.26 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because she is currently under contract with Astoria Homes**

To be heard by the City on 1/7/2004.

**MINUTES:**

NOTE: See Item 45 [ROC-3238] for all related discussion.

(10:55 – 11:00)

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003

Planning and Development Department

Item 46 – ROC-3240

**CONDITIONS:**

Planning and Development

1. Revise Condition No. 4 of SDR-1769 to read as follows:
  4. The setbacks for this development shall be:
    - Product 1 - a minimum of 7 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.25 feet on the side, and 3 feet in the rear;
    - Product 2 (8-unit cluster) - a minimum of 3.5 feet to the front of the house, 2.5 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side; and
    - Product 3 (6-unit cluster) - a minimum of 3 feet to the front of the house, 2 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY -** Request for a Review of Condition No. 3 of an approved Rezoning (ZON-2436) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – Motion for no recommendation – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened on Item 47 [ROC-3283] and Item 48 [ROC-3286].

GARY LEOBOLD, Planning and Development Department, advised that the conditions on the two applications are the same and impact the rezoning. During approval of the rezoning and site development plan, ZON-2436 and SDR-2437, conditions for minimum lot sizes was imposed. This housekeeping item addresses that. Staff recommended approval of the review of condition for both applications.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 47 – ROC-3283

**MINUTES – Continued:**

ATTORNEY PAUL LARSEN, Lionel, Sawyer & Collins, 300 South Fourth Street, appeared on behalf of the applicant and concurred with the conditions.

SANDY BRACKFIELD, 6917 Leon Avenue, clarified with MR. LEOBOLD that the review of condition will not impact the number of lots, which will remain unchanged. It will simply remove a conflicting condition from each application that should have been removed during the original approvals. CHAIRMAN TRUESDELL verified that the project is zoned R-PD3. ATTORNEY LARSEN added that the site plan approved will not be changed in any manner. MS. BRACKFIELD opposed the request because the majority of surrounding residences are on acre lots. She would like this project be reduced to a more consistent two homes per acre. The development would set a precedent for the remaining undeveloped land and increase the area traffic flow.

CRAIG SHIRLEY, 5901 Mello Avenue, questioned how a change in lot size could not impact the plan. CHAIRMAN TRUESDELL discussed with MR. LEOBOLD that the reduced lot size was approved in the original plan, but not reflected in the conditions prepared prior to the meeting. At the original meeting, the condition should have been deleted. The lots complied with the standards, but did not comply with the condition. MR. SHIRLEY opposed the request and pointed to another development one mile to the east. Creeping density is like cancer in a rural neighborhood.

COMMISSIONER McSWAIN indicated that she opposed the original application and DEPUTY CITY ATTORNEY BRYAN SCOTT rebutted that this is a housekeeping item. ROBERT GENZER, Director of Planning and Development Department, stated that perhaps staff should have gone directly to Council rather than this meeting. CHAIRMAN TRUESDELL responded that all reviews should go to Planning Commission and MR. GENZER noted that it cannot be final action because the condition was approved by Council. DEPUTY CITY ATTORNEY SCOTT suggested the Commission could move these items forward with no recommendation to City Council.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 47 [ROC-3283] and Item 48 [ROC-3286].

(11:00 – 11:09)  
**4-383**

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 47 – ROC-3283

**CONDITIONS:**

Planning and Development

1. Condition Number 3 shall be removed from the approval of Rezoning (ZON-2436).
2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY -** Request for a Review of Condition No. 3 of an approved Site Development Plan Review (SDR-2437) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

**CC: 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – Motion for no recommendation – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

NOTE: See Item 48 [ROC-3283] for all related discussion.

(11:00 – 11:09)

**4-383**

Planning and Development

1. Condition Number 3 shall be removed from the approval of Site Development Plan Review (SDR-2437).
2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**SNC-3099 - PARADISE DEVELOPMENT** - Request for a Street Name Change and a Waiver of City of Las Vegas Street Naming and Address Assignment Regulations to allow different primary street names assigned to the same alignment and to allow the use of the suffix "Parkway" for a street that is less than 80 feet in width FROM: F Street TO: City Parkway, for the portion of F Street south of the US 95 Right-of-Way southerly to Grand Central Parkway, Ward 5 (Weekly).

**SET DATE: 12/17/03 C.C. 01/07/04****PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:****McSWAIN – ABEYANCE to the 1/8/2004 Planning Commission meeting – UNANIMOUS**

NOTE: VICE CHAIRMAN NIGRO disclosed that his father is in a business transaction with the applicant but would vote on the abeyance. However, when it comes back through he would be abstaining.

NOTE: COMMISSIONER McSWAIN disclosed that her firm is presently under contract with the Molasky Family but would vote on the abeyance. However, when it comes back through, she would be abstaining.

**MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant has requested this item be held in abeyance to the 1/8/2004 Planning Commission meeting in order to work with staff regarding some concerns. A copy of the letter is on file.



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 49 – SNC-3099

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.  
(6:16 – 6:18)  
**1-265**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY** - Request to Vacate a BLM Roadway Easement generally located adjacent to the north side of the Alexander Road alignment, 350 feet west of Vegas Vista Trail, Ward 4 (Brown).

**SET DATE: 12/17/03 C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, outlined the incorporation of this easement into the adjacent subdivision. There will be no impact on any easements associated with any trails along Alexander Road or block access to any parcels. Staff recommended approval.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 50 – VAC-3264

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(11:09 – 11:11)

**4-657**

**CONDITIONS:**

1. This application shall vacate the northerly most 10-feet of the Alexander Road alignment.
2. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**VAC-3282 - BARBARA SINGLETON TRUST** - Petition to Vacate a portion of Lisa Lane between La Madre Way and Washburn Road, Ward 6 (Mack).

**SET DATE: 12/17/03 C.C. 01/07/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, explained that this is a follow-up to actions taken on the “H” property, east and west of Lisa Lane. Lisa Lane was closed and there was a vacation of the eastern four and a half feet of Lisa Lane south of that closure under a past vacation. This will vacate the western side, reducing the width from 60 feet to 51 feet to the cul-de-sac bulb to fourth home to the north. It will not interfere with construction of the required trail to the north side of La Madre and is necessary prior to recordation of a final map as required under the Washburn/Durango tentative map. Staff recommended approval.

BARBARA SINGLETON, 8300 West La Madre Way, concurred with all conditions. She clarified that the vacation will include everything south of the south cul-de-sac bulb. BART ANDERSON, Public Works, verified that the intent to is vacate everything south of the southern cul-de-sac bulb. The north has already been approved by the previous vacation action. The notification drawing made it difficult to identify the boundary, but the boundary will be determined by the actual cul-de-sac bulb.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 51 – VAC-3282

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(11:11 – 11:14)

**4-708**

**CONDITIONS:**

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**TXT-3357 - CITY OF LAS VEGAS** - Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code relative to Commercial Units and Commercial Shopping Facilities: Title 19.04.010, Table 2 "Land Use Tables;" Title 19.04.040(C), "Conditions;" Title 19.10.010(F), Table 1 "On-Site Parking Requirements;" and Title 19.20.020, "Words and Terms Defined."

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – ABEYANCE to the 1/8/2004 Planning Commission meeting - UNANIMOUS**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, requested holding the Text Amendment for thirty days to the 1/8/2004 Planning Commission meeting to enable staff to do a further review.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:18)

**1-361**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**TXT-3377 - CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Live/Work Overlay District.

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions – UNANIMOUS**

To be heard by the City on 1/7/2004.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing opened.

MARGO WHEELER, Deputy Director of Planning and Development Department, outlined the continuing endeavor to ensure that the City's Zoning Code is written to accommodate the new types of development sought for downtown. The map was updated and would allow for a live/work concept in the Overlay District. It would principally involve industrial and commercial sites in the downtown area. The area is bounded by the freeway, Industrial, Oakey and excluded the Grand Central Parkway area. The live/work units are limited to the commercial land because it would allow for clients to come and go at the unit itself, unlike the home occupation uses. It would include all commercial uses permitted, such as office, desktop publishing, photography and video. Only welding-type sculpture would be prohibited. There are size and signage limitations, a fire wall separation between the living and work use and a special use permit would be required as well.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 53 – TXT-3377

**MINUTES – Continued:**

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:14 – 11:18)

**4-820**

**CONDITIONS:**

1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

Title 19.06.130 LIVE/WORK OVERLAY DISTRICT

A. Purpose and Intent

The purpose of the Live/Work Overlay District is to allow business owners to occupy joint living and work quarters in commercial and industrial areas where other residential types may be inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city of Las Vegas.

It is intended that Live/Work units will function as follows:

1. The owner/lessee of the space will reside and work in the Live/Work unit.
2. Only low-intensity commercial and arts-related uses will be permitted in the Live/Work unit.
3. No commercial activities that require hazardous materials or generate excessive noise will be permitted.
4. Employees, if any, may be limited in number.
5. Clientele will arrive by appointment; walk-in trade is anticipated to be minimal.
6. The residential component is permitted only as an accessory use in commercial and industrial zoning districts, and residents of Live/Work units acknowledge the right of adjacent businesses and property owners to carry out permitted commercial activities without interruption.

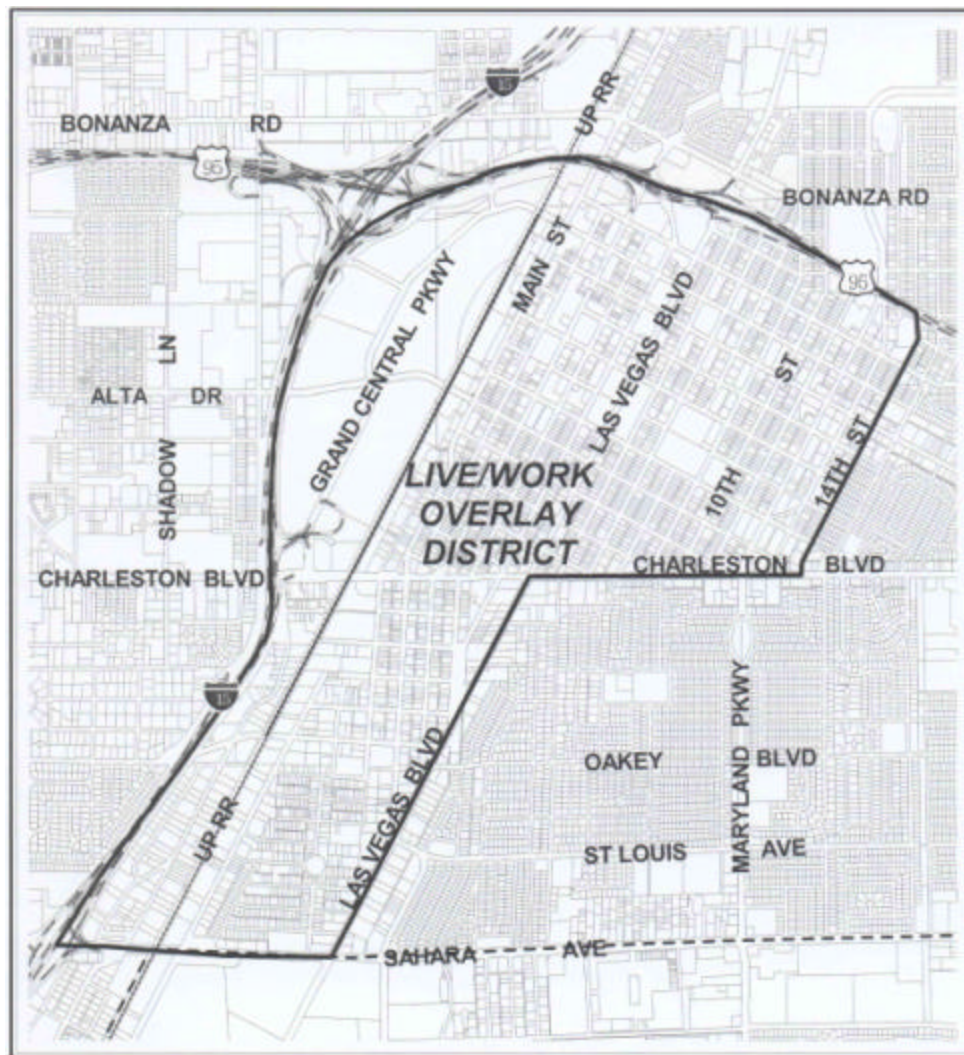
B. Boundaries

The boundaries of the Live/Work Overlay District are generally described as the area bounded by Interstate 15 on the west, Interstate 595 on the north, 14<sup>th</sup> Street on the east (north of Charleston Boulevard), Las Vegas Boulevard on the east (south of Charleston Boulevard), and Sahara Avenue on the south. The boundaries are depicted in the map below:



PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 53 – TXT-3377

**CONDITIONS - Continued:**



C. Definition

A Live/Work unit is a structure or portion of a structure combining a low-intensity commercial work space with an integrated residential space. The residential space shall be subordinate and accessory to the commercial use, and may include full kitchen and sanitary facilities which satisfy the provisions of other applicable codes.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 53 – TXT-3377

**CONDITIONS – Continued:**

D. Requirements

1. Approval process.

- a. Arts District. New Live/Work units in existing structures may be approved administratively, provided the criteria in subsection (2) below are satisfied. Live/Work units in new structures shall be approved as part of a Site Development Plan Review, and shall also be required to meet the criteria listed in subsection (2) below.
- b. All other areas. Live/Work units in existing and new structures shall be permitted upon approval of a Special Use Permit, subject to the criteria listed in subsection (2) below.

2. Criteria. Live/Work units shall be subject to the following requirements:

- a. Zoning. Live/Work units shall be permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts.
- b. Permitted commercial uses. Due to the inclusion of residential occupancy, only the following commercial uses are permitted:
  - 1) Office uses (excluding medical offices).
  - 2) Desktop publishing.
  - 3) Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles. Arts activities requiring welding or any other open flame work shall not be permitted. Sale of artwork is permitted as an ancillary use.
- c. Residential occupancy. Residential occupancy of Live/Work units shall include at least one person who shall be employed or carry out an occupation in the unit.
- d. Access. Access to Live/Work units shall be clearly identified in order to provide for emergency services.
- e. Residential facilities. Live/Work units shall contain cooking facilities, complete sanitary facilities, and sleeping space. No more than 50% of the total floor area of the Live/Work unit shall be used or arranged for residential purposes.
- f. Parking. The parking calculation shall be based on the commercial use of the space in accordance with the requirements of Title 19.10, and shall be based on the gross square footage of the unit.
- g. Signage. Signage for businesses shall be permitted in accordance with the requirements of Title 19.14, or in accordance with the regulations of any other applicable overlay district.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003  
Planning and Development Department  
Item 53 – TXT-3377

**CONDITIONS – Continued:**

3. Permits Required. The development of Live/Work units, as part of a new structure or a conversion within an existing structure, shall require the issuance of permits from the Department of Building and Safety. A Certificate of Occupancy may be issued by the Department of Building and Safety after all applicable inspections are approved and the requirements of other City departments are satisfied.



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

**MINUTES:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, informed the Commission that next Sustainable Architecture lecture will be February 11, 2004, reception at 6:30 p.m. and lecture at 7:00 p.m. More information may be obtained through LANCE KIRK at 263-7111. He encouraged the Commission to attend that meeting.

(11:18 – 11:19)

**4-937**

MARGO WHEELER, Deputy Director of Planning and Development Department, reminded the Commission and public of the joint Planning Commission/City Council meeting on December 8, 2003, at noon, to be held at the main Downtown Library.

(11:19)

**4-985**

**MEETING ADJOURNED AT 11:19 P.M.**

Respectfully submitted:

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ANGELA CROLLI, DEPUTY CITY CLERK

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DEENY ARAUJO, DEPUTY CITY CLERK